

Boroondara Planning Scheme

PLANNING SCHEME

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31/07/2018
VC148

PURPOSE AND VISION

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

PURPOSES OF THIS PLANNING SCHEME

- 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.

02.01

26/05/2022
C354boro

CONTEXT

Boroondara forms part of the Inner South East region of Metropolitan Melbourne. The City is bordered by the cities of Banyule, Manningham, Whitehorse, Monash, Stonnington and Yarra.

Regional context plan



LEGEND

- City of Boroondara Boundary
- Municipal Boundaries
- Roads
- Freeway
- Train
- Tram
- River and waterways

02.01-1

26/05/2022
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Settlement and the built environment

Boroondara is an attractive and highly sought after residential environment with a mix of housing types. Set in a treed environment, Boroondara (Aboriginal for 'a place in the shade') is known for high levels of amenity. Residential development is the dominant land use within the City with some of the finest residential streets in Melbourne.

The range of heritage assets in the City makes a significant contribution to the City's character and provide benefits to the local, metropolitan and state-wide communities. Boroondara also contains various indigenous sites close to the Yarra River which contribute to local heritage and cultural significance.

Boroondara has an extensive network of commercial centres comprising of three major activity centres (Camberwell Junction, Kew Junction and Glenferrie), thirty-one neighbourhood centres and four commercial corridors (including West Hawthorn UDF area). There are also fifteen local centres throughout the municipality.

02.01-2

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Environmental and landscape values

Boroondara is a custodian of a portion of the Yarra River and its environs, one of the most important riverine environments in the State. The Yarra River, together with Koonung and Gardiners Creeks, supports important riverine ecosystems and environments. The Yarra River environs contains most of Boroondara's regional open space and provides a significant landscape feature within the municipality.

02.01-3

26/05/2022
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Housing

Boroondara's population is changing with an ageing population, declining household size and changing dwelling preferences. Future housing provision needs to be responsive to demand and must provide flexible options for a mix of household types. The local community is characterised by a higher proportion of older residents compared with the Melbourne average, established families with generally high incomes and educational attainment levels, and increasing cultural diversity. However, there are parts of the City that are experiencing localised socio-economic disadvantage. A key issue for Council is to ensure its resources are effectively targeted and distributed to ensure equitable outcomes.

Boroondara's residential areas are much sought after, having an abundance of high quality community facilities and public infrastructure, a high level of residential amenity and quality of residential design.

02.01-4

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Economic development

The local economy is oriented towards the service sector including property and business services, health, education and community services, and retail. Public and private education and health services are two of the largest sectors of the economy, particularly the private sector providers.

02.01-5

26/05/2022
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Transport

Boroondara enjoys a high degree of accessibility to the surrounding region, particularly in an east/west direction. The municipality is well serviced by public transport and main arterial roads and freeways that pass either through the City or along its borders. However, the City's north/south links, particularly public transport, are weaker and require improvement.

Boroondara is home to a diverse mix of residential, commercial, recreational, educational and other precincts. This brings a varying demand for car parking across the municipality that needs to be carefully managed.

Boroondara's road network is a grid network bordered by the Eastern Freeway to the north and the Monash freeway to the south-west. The Yarra River creates pinch points, with east-west traffic movements funnelled into several crossing points.

The existing bicycle network is extensive and plays a central role in the wider Melbourne network.

02.01-626/05/2022
C354boro**Open space and infrastructure**

Public open space is highly valued and fulfils a wide range of social, aesthetic and environmental functions. Overall, there is a diverse network of open space however it is not equally distributed across the municipality.

Open space contributes to quality of life and is an essential part of the natural and built environment of Boroondara. Boroondara's open space network comprises 266 open space areas, and accounts for approximately 10 per cent of land in the municipality. The open space network caters for a diversity of users and groups, and supports the protection and enhancement of biodiversity.

The health sector is of great significance and comprises approximately 15 hospitals, 20 nursing homes and 900 private medical and other health related practices. Private educational institutions are a significant component of development in the municipality. The concentration of educational institutions within the municipality, particularly private schools, distinguishes Boroondara regionally from other municipalities.

02.0226/05/2022
C354boro**VISION**

The *Boroondara Council Plan* (City of Boroondara, 2017-21) and the *Boroondara Community Plan* (City of Boroondara, 2017-27) set out the community's vision for the municipality to be "*a vibrant and inclusive city, meeting the needs and aspirations of its community*".

The land use and development strategic objectives of the *Boroondara Community Plan* are:

- *Community services and facilities are high quality, inclusive and meet a variety of needs now and into the future.*
- *Inviting and well-utilised community parks and green spaces.*
- *Our natural environment is healthy and sustainable for future generations.*
- *Protect the heritage and respect the character of the City to maintain amenity and liveability whilst recognising the need for appropriate, well-designed development for future generations.*
- *Travel options that are connected, safe, accessible, environmentally sustainable and well-designed.*
- *A vibrant local economy and shops that are accessible, attractive and a centre of community life.*

02.0326/05/2022
C354boro**STRATEGIC DIRECTIONS****02.03-1**26/05/2022
C354boro**Settlement**

Camberwell Junction, Kew Junction and Hawthorn - Glenferrie Road are nominated as activity centres in *Plan Melbourne 2017-2050: Metropolitan Planning Strategy*. The role of activity centres is to support the strategic direction of 20-minute neighbourhoods. Major activity centres should support a wide range of goods and services and are planned and coordinated by local government. Hawthorn - Glenferrie Road is also nominated as an Education Precinct (Swinburne University).

Neighbourhood centres and commercial corridors provide an important social, economic, environmental and infrastructure role in the municipality, and enhance the City's desirability as a place to shop, work, meet, relax and live.

Council's strategic directions are to:

- Maintain and strengthen the network of activity centres, neighbourhood centres, local centres and commercial corridors.
- Ensure major activity centres, neighbourhood centres, local centres and commercial corridors retain a commercial focus with regard to land use and built form outcomes.
- Ensure residential development complements the commercial focus of activity centres, neighbourhood centres, local centres and commercial corridors, particularly at the upper levels of development.
- Minimise the impacts of development on sensitive residential interfaces by way of visual bulk, noise, traffic and vehicle access.

02.03-226/05/2022
C354boro**Environmental and landscape values**

Council recognises the importance of our biodiversity corridors and is committed to protect biodiversity. The generally warmer and drier climate and more extreme weather events impact species and ecosystems. Additional key challenges include controlling environmental weeds, some of which are used in garden landscaping and the impacts of urban development including loss of vegetation, habitat and biodiversity continuity and landscape values.

The Yarra River Corridor has some outstanding landscape characteristics which extend from the river to the higher ridgelines, providing the visual backdrop to the river and adjoining parkland. Council is committed to protecting significant landscapes for the benefit of the community and the environment.

Council's strategic directions are to:

- Protect and enhance biodiversity.
- Minimise the impacts land use and development have on the municipality's biodiversity corridors, vegetation and habitat.
- Protect significant landscapes from any detrimental impacts from development, particularly the Yarra River Corridor and environs.
- Protect mature vegetation that contributes to landscape character.
- Enhance land and waterway biodiversity by improving corridors and protecting significant sites.

02.03-326/05/2022
C354boro**Environmental risks and amenity**

Land beside the Yarra River and Gardiners Creek is part of a Melbourne Water declared flood liable area. While these areas and other flood-prone land may represent a hazard to development, the flood-plains also have high environmental value as an intrinsic part of the riverine system.

Continued development has resulted in increased hard surfaces that absorb heat and increases the temperature in urban areas. Further exacerbated by the loss of canopy trees on private land and street trees, this urban heat island effect poses a serious environmental health risk for residents, especially in heat wave conditions.

Some non-residential uses may be located within residential areas to provide a useful supporting role and service to the surrounding residential area. However, these uses have the potential to create amenity impacts on surrounding residential areas.

Council's strategic directions are to:

- Manage risks to the built environment from flooding.
- Manage the impacts of urban heat island effect (climate change).
- Protect residential areas surrounding discretionary uses from potential amenity impacts.

02.03-4

26/05/2022
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Built environment and heritage

The character of Boroondara is one of the key features that makes the municipality special, being derived from both the natural setting in which it is located and the manner in which the City has developed over time. The inter-war and post-war subdivision patterns are very distinctive and the City is a prime example of the "Garden Suburb" form of development. Boroondara's visual landscape is characterised by an abundance of trees and other vegetation found within reserves, streets and private gardens.

Heritage precincts and individual heritage places cover a high proportion of the municipality and make a significant contribution to Boroondara's character.

Boroondara's heritage assets include indigenous heritage sites, mansion and worker cottage developments from the last part of the 19th century, inter-war and post-war subdivisions/ settlement from the 20th century, individually significant and groups of Victorian, Federation, Inter-War and Post-War residences, former industrial sites, commercial buildings, public utilities including bridges, government buildings, railway stations, and parks and gardens. These places are of aesthetic, social, historic, technical or spiritual significance to the municipality.

Council has a strong commitment to the protection, conservation and enhancement of all heritage places.

Council is committed to improving the quality of design in the built environment. This includes providing a high quality public realm and encouraging architecture which is sympathetic to the local context. This is consistent with community expectations around maintaining a distinctive urban and neighbourhood character and delivering high quality environments to live, work and visit.

Given the high number of major activity centres, neighbourhood and local centres and commercial corridors in Boroondara, signage is a highly visible part of streetscapes. Much of Boroondara is in designated heritage areas and there are individual buildings and features of cultural significance. Signage in these areas and in the vicinity of these features has the capacity for significant amenity impacts particularly from new forms of advertising signage including electronic and animated signs. Excessive signage results in visual clutter that can dominate streetscapes. The municipality is a heavily trafficked part of Melbourne, surrounded by freeways and crossed by many main roads. These major routes are the focus of demand for major promotion signs.

The built environment can have significant impacts on the wider natural environment through consumption of energy and water, waste generation during construction and operation, and pollution of waterways. Council therefore needs to manage urban development to ensure maximum efficiencies, and to avoid retrofitting and additional operational costs.

Council's strategic directions are to:

- Ensure high quality urban design standards in development.

- Protect and respect the preferred neighbourhood character and ensure development makes a positive contribution while minimising adverse impacts.
- Protect all individual places, objects and precincts of cultural, aboriginal, urban and landscape significance.
- Ensure development respects, and is sensitive to, the significance of heritage places.
- Manage signage and its impacts on the built environment.
- Ensure development incorporates Environmentally Sustainable Development (ESD) principles including through energy and waste efficiency and water conservation.

02.03-5

26/05/2022
C354boro

Housing

An ageing population and changing household size driving demand for diverse housing options, including smaller residential dwelling sizes and allotments.

Council therefore has established a clear vision to facilitate a diverse range of housing in line with housing demand while ensuring the preferred character of established residential areas is achieved and residential amenity is maintained.

Council's strategic directions are to:

- Facilitate residential development in accordance with the Housing Framework shown on the Housing Framework Plan at Clause 02.04.
- Provide a diverse range of housing types that protect preferred neighbourhood character and adjoining residential amenity.
- Provide housing that is sufficiently flexible to account for age, temporary or permanent injury or impairment, and disability.

02.03-6

26/05/2022
C354boro

Transport

Boroondara's local road network can create traffic issues. Long, straight roads can encourage motorists to seek alternative routes to more congested arterial roads. Some local streets also suffer from high traffic speeds.

Increasing private vehicle ownership has resulted in parking and access pressures around activity centres, health and education institutions and community facilities. This includes amenity impacts in residential areas and potential safety concerns from parking overspill.

Council's strategic directions are to:

- Manage competing transport demands of walking, cycling, private vehicles and public transport.
- Support a shift towards healthy and sustainable transport modes.
- Ensure provision of sufficient car parking.

02.03-7

26/05/2022
C354boro

Infrastructure

Population increase and demographic change are creating new and increased demand around the quantity, use, distribution, and design of open space.

A significant consideration in the management and provision of open space in the municipality will be to ensure that high quality and useable open space continues to be provided for Boroondara's current and future population.

Health and education facilities play a role in serving the needs of the community and also make a significant contribution to the local economy. However, they can also have detrimental amenity impacts as a result of car parking, access and circulation, noise and neighbourhood character. The expansion of facilities and their interface impacts need to be managed particularly in the absence of an institutional masterplan particularly in the context of often limited space for expansion.

While Boroondara has a full range of physical infrastructure, this infrastructure is aging and will require renewal over time. Increased development activity further exacerbates the ongoing deterioration of infrastructure despite being well serviced.

Development can significantly impact the environment through including through the pollution of waterways. Council needs to ensure development is appropriately designed to minimise those impacts.

Council's strategic directions are to:

- Ensure the provision of sufficient and well-designed public open space across the municipality to maintain healthy spaces and places.
- Ensure health and education institutions are integrated with their surrounding area and are planned in a coordinated manner.
- Ensure community and development infrastructure complements residential areas and responds to demand and that development contributes to infrastructure as appropriate.
- Limit the impacts of urban development on stormwater run-off and river health.

02.04

26/05/2022
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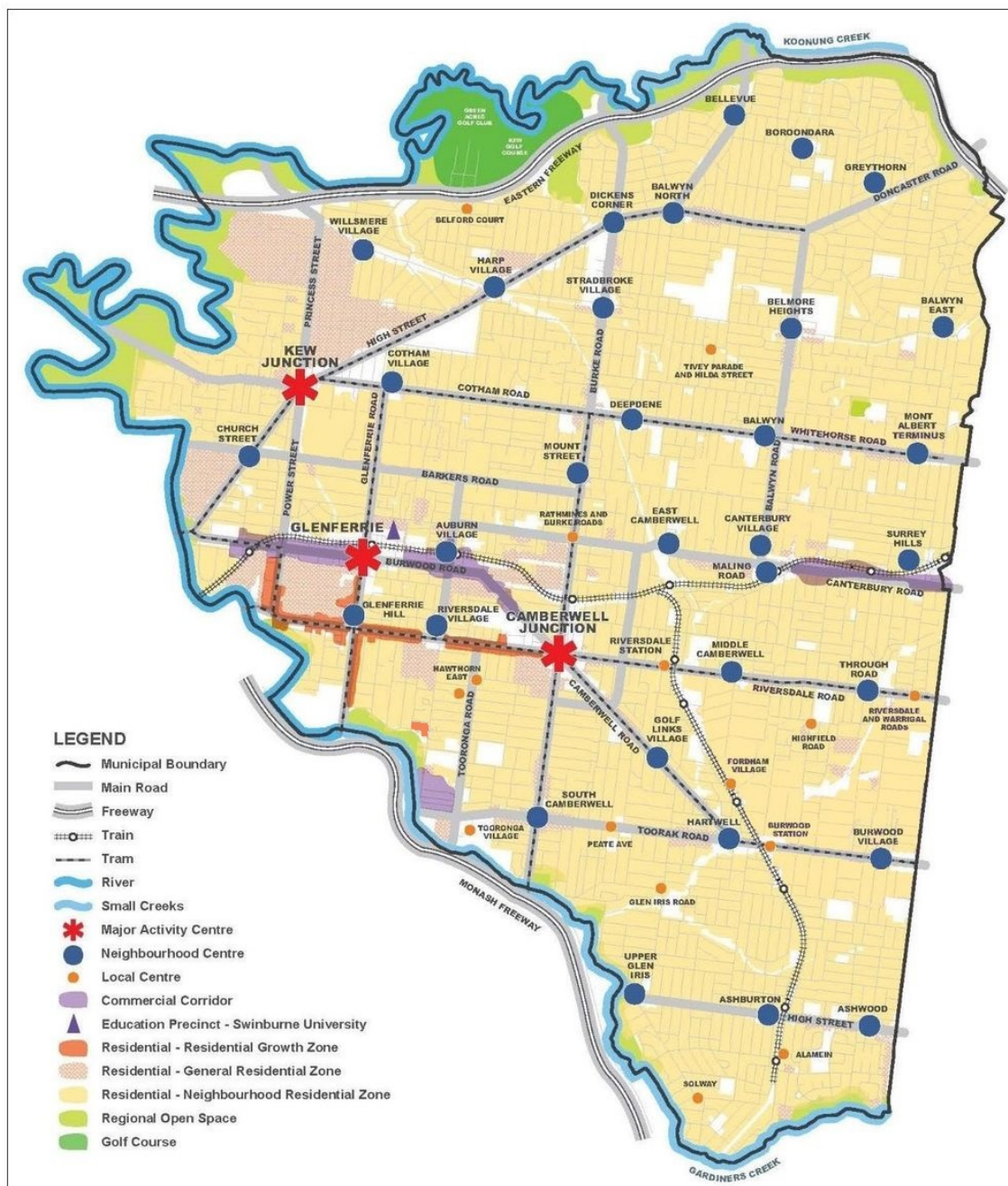
STRATEGIC FRAMEWORK PLANS

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

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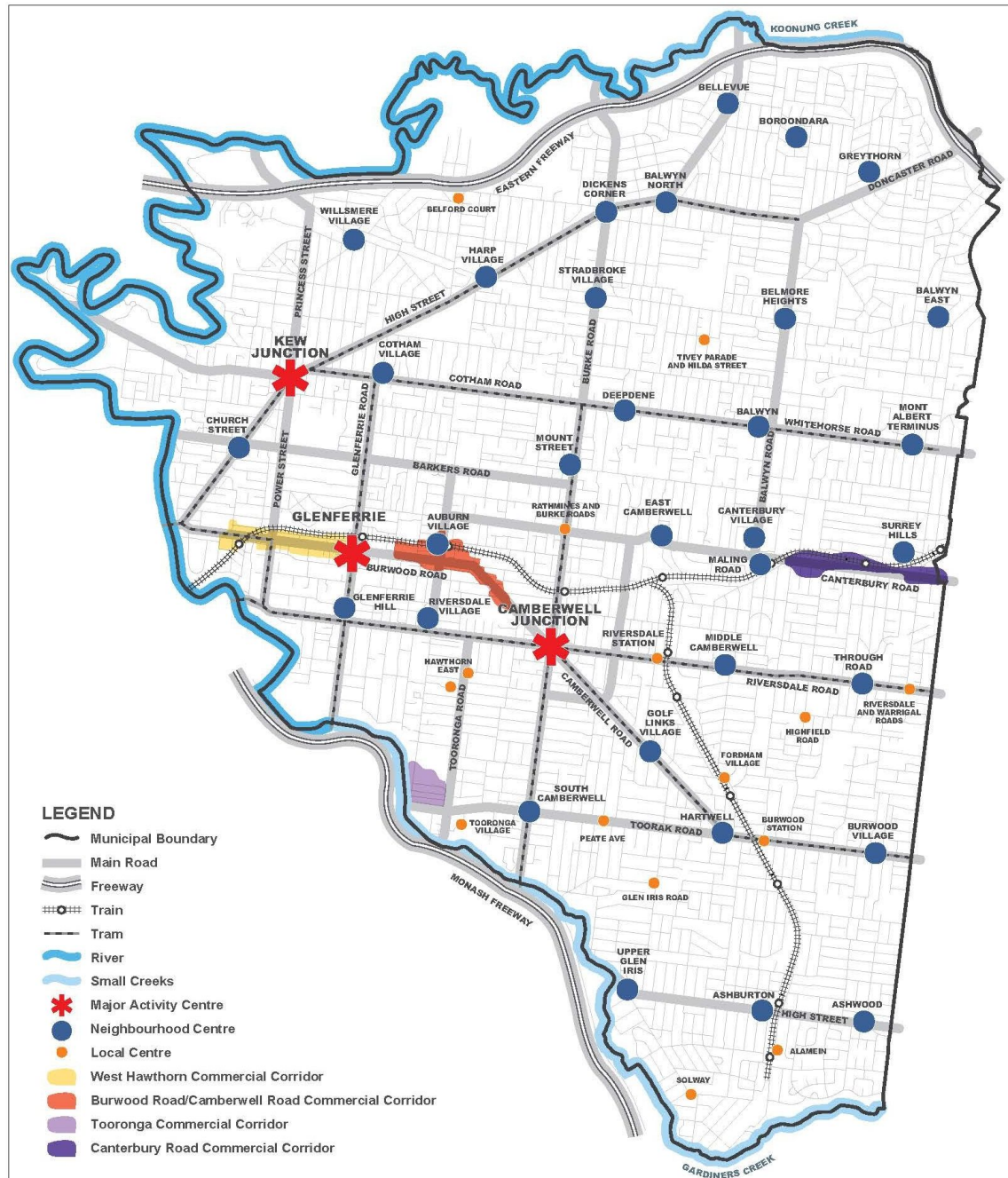
Strategic framework plan



02.04-2

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C354boro

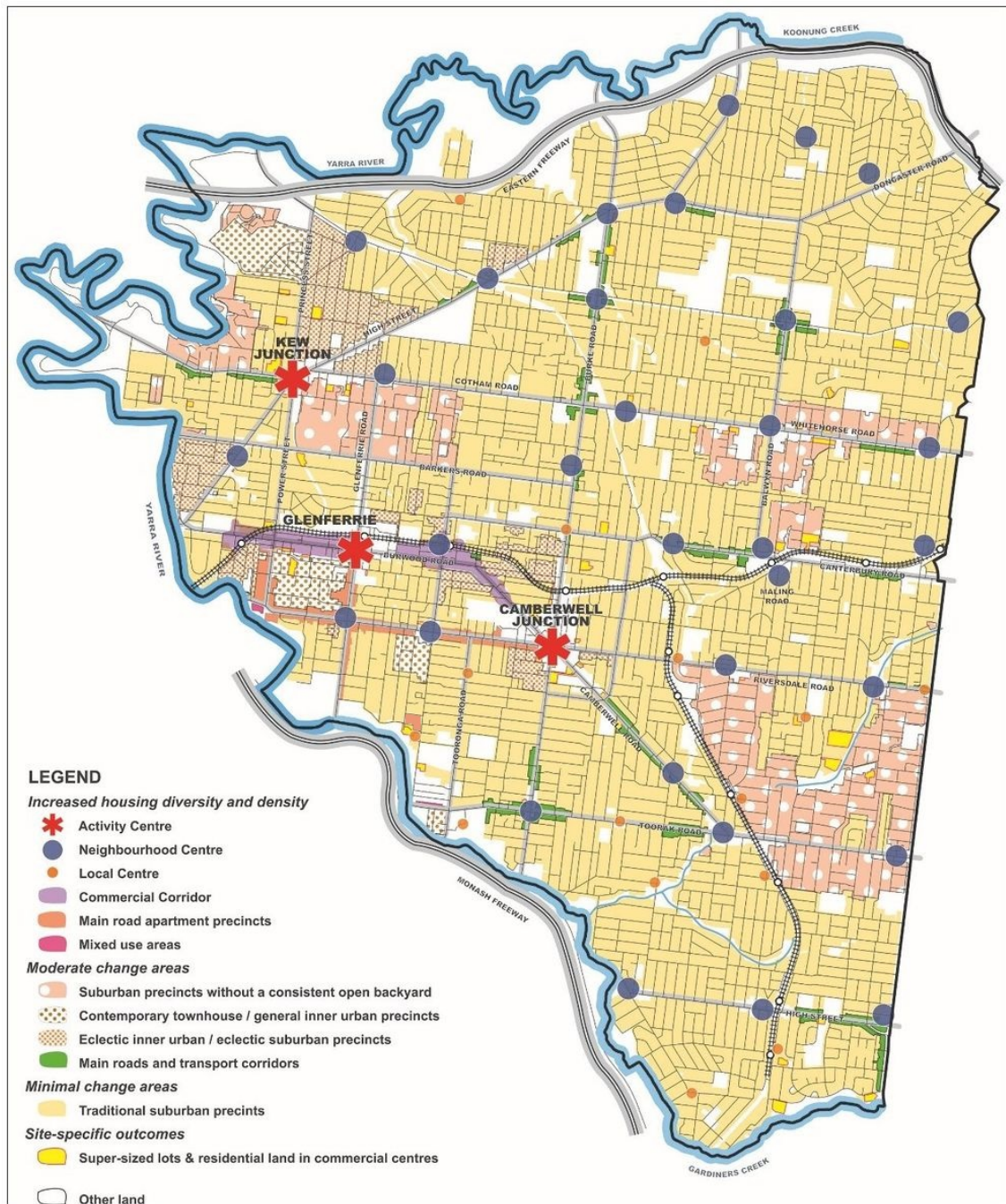
Activity centres network framework plan



02.04-3

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Housing framework plan



02.04-4

26/05/2022
C354boro

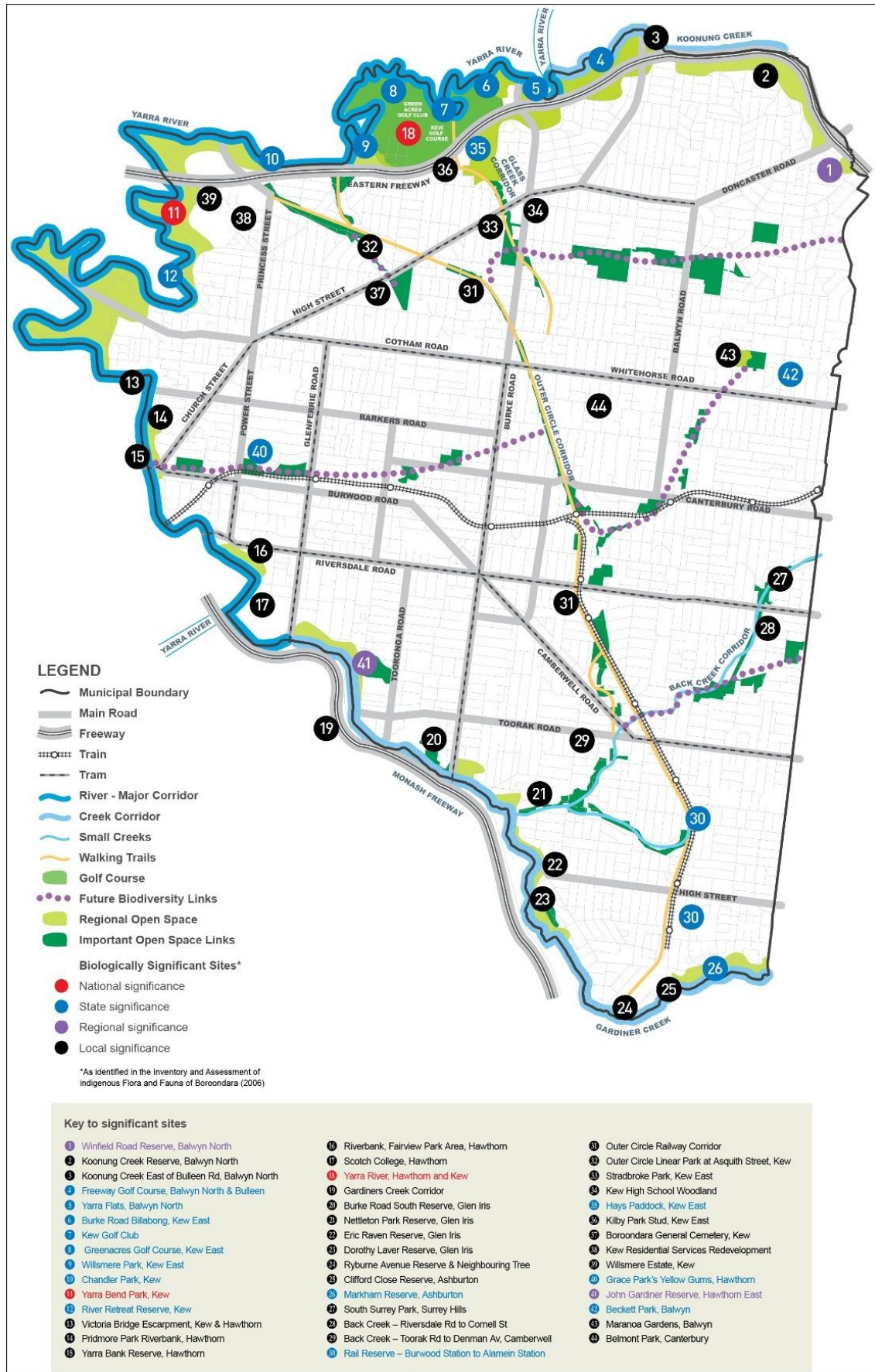
Transport framework plan



02.04-5

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C354boro

Environment and open space framework plan



PLANNING POLICY FRAMEWORK

SETTLEMENT

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

31/07/2018
VC148

VICTORIA

11.01-1S

10/06/2022
VC216

Settlement

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)

11.01-1R11/02/2020
VC168**Settlement - Metropolitan Melbourne****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:

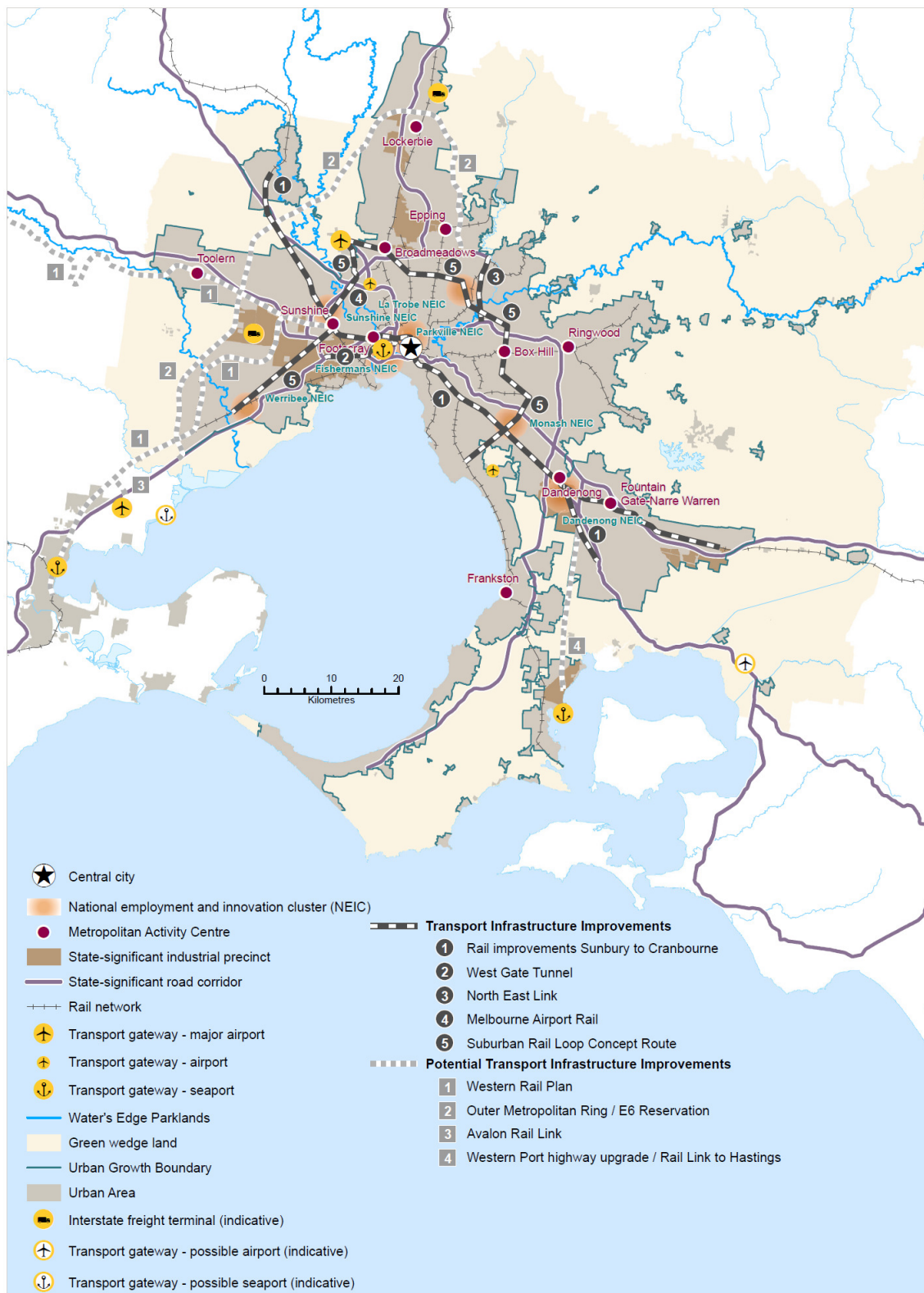
- Metropolitan Melbourne Central City.
- National Employment and Innovation Clusters.
- Metropolitan Activity Centres.
- State-Significant Industrial Precincts.
- Transport Gateways.
- Health and Education Precincts.
- Major Urban-Renewal Precincts.

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

31/07/2018
VC148

Green wedges - Metropolitan Melbourne

Objective

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

Strategies

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

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

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

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

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

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

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

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

Provide opportunities for renewable energy generation.

Policy documents

Consider as relevant:

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

11.02

31/07/2018
VC148

MANAGING GROWTH

11.02-1S03/03/2023
VC215**Supply of urban land****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

10/06/2022
VC216

Structure planning

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).

11.02-3S04/05/2022
VC210**Sequencing of development****Objective**

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

Strategies

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

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

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

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

Support opportunities to co-locate facilities.

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

Policy documents

Consider as relevant:

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

11.03

31/07/2018
VC148

PLANNING FOR PLACES

11.03-1S

03/02/2022
VC199

Activity centres

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

31/07/2018
VC148

Activity centres - Metropolitan Melbourne

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 Camberwell Junction Major Activity Centre

11/04/2025
GC252

This policy applies to all land within the Camberwell Junction Major Activity Centre as identified in the Camberwell Junction Structure and Place Plan forming part of this clause.

Objectives

- To support the primary economic function of the Centre.
- To promote economic diversity in and around the Centre.
- To strengthen the local and sub-regional economic and employment role of the centre.
- To encourage new employment development and floorspace in the centre.
- To ensure new housing does not displace commercial uses.
- To provide recreation, leisure, and community infrastructure to meet the needs of the community.
- To increase housing supply, diversity, adaptability and affordability.
- To enhance the liveability of the Centre through the provision of public realm, community facilities, arts and cultural initiatives and connections for walking, cycling and public transport.
- To improve safety, movement and amenity for public transport, pedestrians and cyclists throughout the Centre.
- To provide sufficient parking in suitable locations.

Strategies

- Support the continued operation and establishment of new retail, commercial, service industry, civic and institutional uses.
- Encourage retail floorspace at ground/street level of buildings, with office and other commercial uses at upper levels.
- Maximise the use of commercially zoned land for employment generating uses.
- Avoid wholly residential development.
- Discourage residential uses from ground and first floor levels particularly in areas identified as core retail areas.
- Encourage a mix of housing types and sizes, with a particular focus on higher-density housing above active commercial uses at ground, street wall and upper levels.
- Encourage development that creates an accessible, safe, comfortable and enjoyable environment for everyone.
- Avoid the creation of new vehicle crossings along existing and proposed pedestrian links.
- Manage intensive vehicle movements on the peripheral road network whilst prioritising sustainable transport modes and liveability in and around the core of the Centre.
- Provide opportunities for consolidated car parking to support the efficient sharing of parking facilities.
- Support arts and cultural initiatives where appropriate.

Policy document

Consider as relevant:

- *Camberwell Junction Structure and Place Plan* (City of Boroondara, May 2024)

11.03-1L-02 Hawthorn–Glenferrie Road Major Activity Centre

26/05/2022
C354boro

This policy applies to all land within the Hawthorn–Glenferrie Road Major Activity Centre as identified in the Hawthorn–Glenferrie Road Major Activity Centre Structure Plan forming part of this clause.

Objectives

To maintain and enhance the centre's role as a mixed-use shopping strip.

To ensure that the centre is an attractive, vibrant and functional place to visit, work and live.

To enhance the centre's amenity and sense of safety at all hours and to minimise amenity impacts of night time uses on surrounding businesses and residents.

Strategies

Support mixed-use development comprising of retail at ground level, and offices or residential uses on upper levels to locate within the retail core and mixed-use areas.

Facilitate customer or community focused ground floor uses that activate the pedestrian environment.

Support developments that increase the supply of affordable housing in the centre, both within private development and in the form of public or community housing.

Support community, civic and recreation facilities that integrate with the rest of the centre, are well connected, easily accessible and meet the current and future needs of the community.

Support retail and commercial development that does not undermine the role of the Burwood/Camberwell Road Commercial Corridor as Boroondara's primary location for large format retail and office uses.

Avoid large format uses such as warehouses that do not have an active public interface with the street, locating in the centre.

Locate late night uses away from residential areas and on sites that do not have a direct abuttal to land in a residential zone.

Design and manage night time uses to minimise amenity impacts on surrounding residential areas and businesses and increase community safety.

Ensure use and development makes the best use of available land and provides opportunities for additional retail, commercial or housing.

Ensure uses will not have an unreasonable impact on the amenity of the surrounding residential area.

Encourage use and development to incorporate measures to reduce private vehicle travel to and around the centre and encourage people to use public transport, walking and cycling as alternate modes of transport.

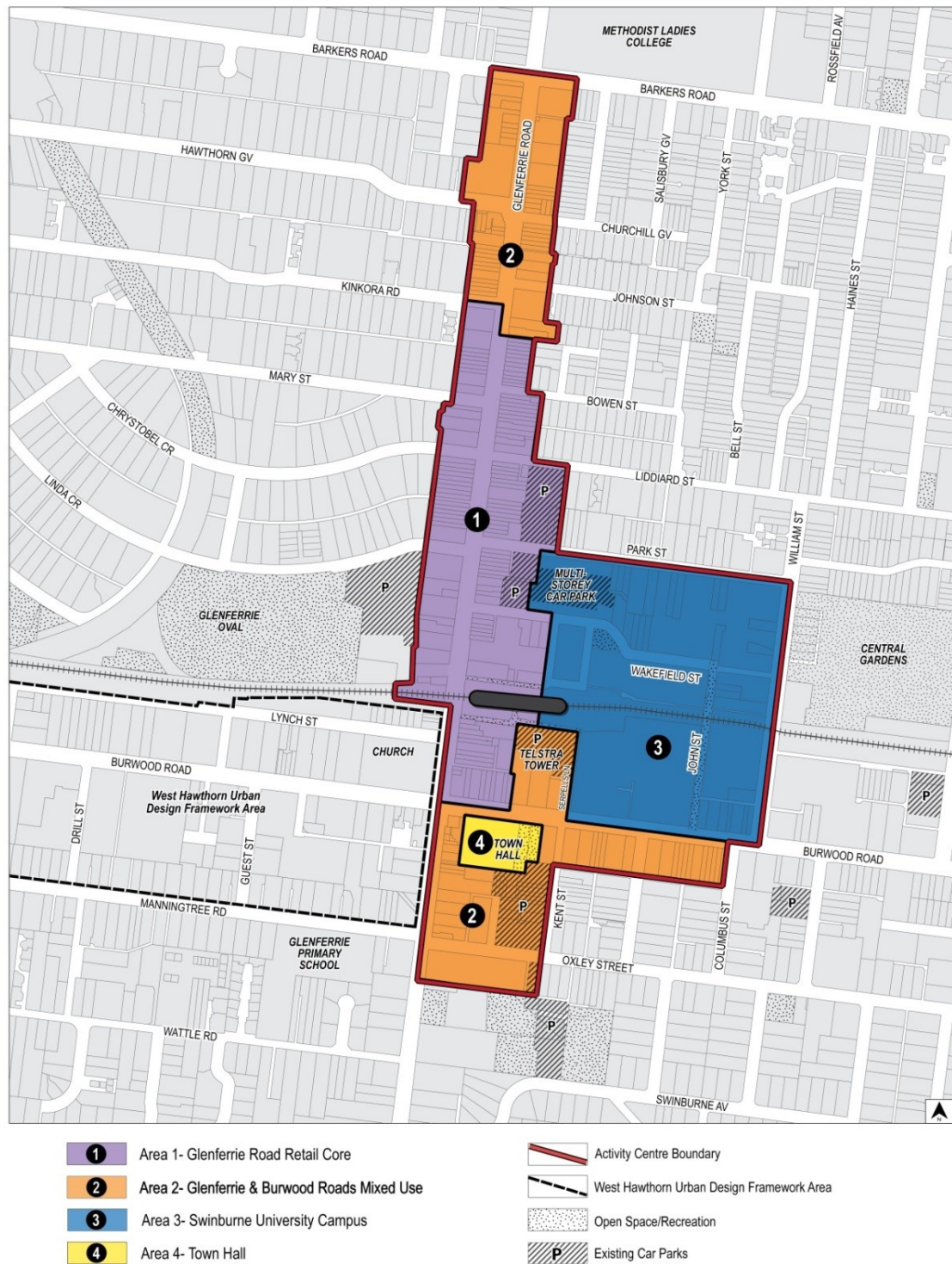
Support a waiver or reduction of parking requirements for dwellings only, if the development incorporates sustainable transport alternatives.

Policy documents

Consider as relevant:

- *Glenferrie: Heart of Hawthorn Structure Plan* (City of Boroondara 2010, updated 28 December 2011)
- *Glenferrie: Heart of Hawthorn Structure Plan Implementation Plan* (City of Boroondara, 2010, updated 28 December 2011)

Hawthorn–Glenferrie Road Major Activity Centre Structure Plan



Source: *Glenferrie: Heart of Hawthorn Structure Plan* (City of Boroondara, 2011)

11.03-1L-03 Kew Junction Major Activity Centre

26/05/2022
C354boro

This policy applies to all land within the Kew Junction Major Activity Centre as identified in the Kew Junction Major Activity Centre Structure Plan forming part of this clause.

Objectives

To strengthen the role of the Kew Junction Major Activity Centre as a vibrant mixed-use centre supporting a range of retail and commercial activity.

To provide a high quality pedestrian environment with improved pedestrian links and public spaces.

To ensure new use and development do not have a negative impact on traffic management and car parking.

To encourage development of key sites around the five ways intersection and the VicRoads site in Precinct 1 for a mix of commercial and residential uses.

To strengthen the role of Precinct 2 as the core retail focus of the centre and a vibrant mixed-use environment.

To expand the role of Precinct 3 as an edge-of-centre mixed-use precinct including a range of commercial uses and new residential development.

Strategies

Support the consolidation of smaller sites and the redevelopment of under-utilised sites.

Support a mix of uses including retail, commercial, residential, community, health, leisure and other associated uses that respond to the needs of the local population.

Facilitate a mix of uses within the same development by locating office or retail uses with active frontages at ground level and offices or housing above with underground or internal deck car parking.

Facilitate use of upper levels, including existing shop tops, for offices or housing.

Avoid locating residential uses at the ground level.

Ensure new residential development provides a variety of dwelling sizes and configurations that suit a variety of households.

Support developments that increase the supply of affordable housing in the centre, both within private development and in the form of public or community housing.

Retain and improve existing open space and linkages.

Support public art that enhances the centre's local identity and sense of place.

Support north-south linkages along Princess/Denmark Street through to LE Bray Reserve and Glenferrie Oval.

Support new developments that do not result in a net loss of overall public car parking in the centre.

Ensure new development make a positive contribution to the image and character of the centre and its pedestrian environment.

Precinct 1

Provide active uses at the ground level, such as shops or cafés, that complement the office or residential uses at upper levels and improve the streetscape activity and amenity of the precinct.

Support the use and retention of the rear laneway between Denmark Street and Fenton Way.

Facilitate redevelopment of the VicRoads site with new or infill mixed use development of residential or office, incorporating open spaces and north-south linkages through the site.

Precinct 2

Support office, residential, community or cultural activities that complement the core retail role of the precinct to be developed on upper levels.

Precinct 2 - North of High Street

Increase outdoor activity at the rear of the High Street shops through the creation of an improved pedestrian space.

Minimise supermarket loading arrangements that conflict with pedestrian and traffic movement.

Provide primary vehicle access to the area between Princess Street and Brougham Street from Princess Street and not from Brougham Street.

Precinct 2 - South of High Street

Facilitate the establishment of a retail or commercial anchor with residential or office uses on the upper levels around Fenton Way.

Support the creation of community uses (such as the new arts facility) that complement the retail and commercial role of the area based around the former Kew Court House and Police Station and Fenton Way.

Create pedestrian connections from the south of High Street to the retail areas north of High Street.

Retain a pedestrian connection from Fenton Way through to Denmark Street.

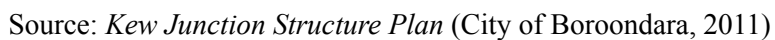
Precinct 3

Support larger scale offices and larger format retail.

Policy document

Consider as relevant:

- *Kew Junction Structure Plan* (City of Boroondara, 2009, updated 28 December 2011)



11.03-1L-04 Neighbourhood centres, local centres, commercial corridors26/05/2022
C354boro**Policy application**

This policy applies to all land within the neighbourhood centres, local centres and commercial corridors identified in the *Activity centres network framework* map at Clause 02.04.

This policy does not apply to the:

- Camberwell Junction Activity Centre.
- Glenferrie Activity Centre.
- Kew Junction Activity Centre.
- West Hawthorn Area.
- Tooronga Village.

Objective

To support retail and office development in accordance with the framework for centres and commercial corridors.

Strategies

Facilitate mixed use development that supports the local community and ensures that neighbourhood centres, local centres and commercial corridors remain sustainable and multi-functional destinations.

Support development that promotes sustainability, improves functionality, accessibility and integration with the public realm, and addresses scale and identity through site responsive design.

Provide a greater mix of uses including retail, office and residential as part of any development.

Direct non-retail activities (including community services) to the periphery of the neighbourhood centres or upper levels of buildings.

Avoid supermarket uses in the Commercial 2 Zone.

Locate retail and office development in neighbourhood centres, local centres and commercial corridors.

Ensure new development is designed to protect the amenity of residential areas adjoining neighbourhood centres, local centres and commercial corridors.

Ensure the scale of commercial development reflects the centre's role and function within the City's hierarchy of centres.

Policy documents

Consider as relevant:

- *Balwyn Structure Plan* (City of Boroondara, 2011)
- *Neighbourhood Centres and Commercial Corridors Guidelines* (City of Boroondara, 2014)

11.03-2S

04/05/2022
VC210

Growth areas

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

31/07/2018
VC148

Peri-urban areas

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.

11.03-4S20/03/2023
VC229**Coastal settlement****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)

11.03-5S30/04/2021
VC185**Distinctive areas and landscapes****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

31/07/2018
VC148

Regional and local places

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.

ENVIRONMENTAL AND LANDSCAPE VALUES

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

31/07/2018
VC148

BIODIVERSITY

12.01-1S

20/03/2023
VC229

Protection of biodiversity

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

26/05/2022
C354boro

Protection of biodiversity - Boroondara

Strategies

Protect and restore remnant vegetation and existing ecologically significant sites for habitat and ecological values.

Support extending revegetation to improve connectivity along and between identified biodiversity corridors.

Improve habitat values along waterways by supporting revegetation of the riparian corridors and increases in corridor width.

Support the enhancement of biodiversity links between public parks and reserves through local nature strips and private residential gardens.

Retain significant trees and canopy trees.

Provide sufficient space in front and rear gardens to accommodate large canopy trees.

Support the use of indigenous planting in development.

Policy guideline

Consider as relevant:

- Providing at least one canopy tree in backyard and front yard areas.

Policy documents

Consider as relevant:

- *Boroondara Open Space Strategy* (City of Boroondara, 2013)
- *Boroondara Urban Biodiversity Strategy 2013-2023* (City of Boroondara, 2013)

12.01-2S

20/03/2023
VC229

Native vegetation management

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

06/09/2021
VC171

MARINE AND COASTAL ENVIRONMENT

12.02-1S20/03/2023
VC229**Protection of the marine and coastal environment****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)

12.02-2S20/03/2023
VC229**Marine and coastal Crown land****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

31/07/2018
VC148

WATER BODIES AND WETLANDS

12.03-1S

16/12/2022
VC201

River and riparian corridors, waterways, lakes, wetlands and billabongs

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)

12.03-1R14/04/2025
VC281**Birrarung (Yarra River)****Objective**

To enhance the natural beauty, biodiversity, environmental health, cultural values, and recreational opportunities of the Birrarung (Yarra River) Corridor.

Biodiversity, cultural and water strategies

Strengthen the natural environment and overall health of Birrarung (Yarra River) parklands and waterway systems, including tributaries, by:

- Protecting and enhancing native vegetation to provide habitat and connections between conservation areas and along the river and its tributaries.
- Protecting, rehabilitating and re-establishing floodplains, wetland and billabongs to sustain their cultural and natural values and improve water quality, including at the Yarra Junction to Healesville billabongs and wetlands, and the Healesville to Yering billabongs and wetlands.
- Protecting and strengthening environmental and landscape values along the banks of the river and its tributaries and at confluences, billabongs, parks and reserves, including at Yarra Bridge Reserve and Everard Park.
- Managing land uses at key visitor destinations to minimise impacts on ecological values, including at Haining Farm.
- Protecting, conserving and enhancing areas of cultural and archaeological significance, including the Yarra Flats and Banyule Flats.
- Discouraging development at the confluence of the Yarra and Plenty rivers that will impact on natural flows and geomorphology.
- Providing designated spaces along walking and cycling trails, including unsealed tracks through bushland areas, where individuals and small groups can sit or stand to enjoy views of trees and water without unreasonably impacting ecological values.

Avoid detrimental cumulative impacts from land use and development on the natural and cultural values and the overall health of the Birrarung (Yarra River) Corridor and its tributaries and parklands.

Access and movement strategies

Facilitate new and improved walking and cycling connections between precincts, including by:

- Prioritising continuous links to the city from Richmond, South Yarra, Docklands, and Fishermans Bend.
- Encouraging the connection of the Yarra Bridge Streamside Reserve, Woori Yallock, and the Lilydale to Warburton Rail Trail.
- Improving connections for the Banyule and Manningham municipalities in the Bulleen precinct, to and along the river itself, and between destinations such as Heide Museum of Modern Art, Bolin Bolin billabong, and the Heidelberg Artists Trail.
- Preserving the opportunity for a new walking and cycling connection across the river extending from Yarra Street, Heidelberg.
- Enhancing walking and cycling infrastructure along the Main Yarra Trail and Darebin Creek Trail.

Facilitate walking and cycling access to Birrarung (Yarra River) Corridor waterfronts and parklands from surrounding urban areas including as part of new development in the Bulleen Precinct and in the Warrandyte township.

Parkland strategies

Facilitate community use and enjoyment of Birrarung (Yarra River) parklands and tributaries by:

- Discouraging development that limits opportunities for public land to be used for future recreation and conservation purposes.
- Supporting a range of passive and active recreational opportunities.
- Minimising noise impacts from urban uses.
- Prioritising the protection of recreational amenity at parks and along walking trails where there is no visual intrusion from development or noise disturbance from urban uses.
- Maintaining and enhancing the network of unsealed recreational walking tracks and circuits around the river and through bushland areas.
- Designing interfaces of residential areas with parklands to frame views toward natural landscape elements and support legible and clear access to walking and cycling trails within parklands.
- Protecting and restoring tree canopies along ridgelines to conceal views of buildings.

Development strategies

Ensure the siting and design of new buildings and infrastructure complements the Birrarung (Yarra River) Corridor's natural landscape setting and key viewing locations by:

- Setting back development from the floodplain and park and conservation areas within the Birrarung (Yarra River) Corridor.
- Screening development using native tree canopy and understorey planting.
- Designing buildings to sit below the height of the tree canopy in areas where existing development is concealed from, or visually subordinate to, the Birrarung (Yarra River) Corridor's natural landscape setting.

Discourage development on riverbanks in the Inner City Reach on Map 1 to this clause.

Conserve and enhance heritage values of the Birrarung (Yarra River) Corridor and key viewing locations through sensitive design of public spaces and buildings, including at Yarra Glen and Warrandyte township.

Key views strategy

Protect and maintain key views from and to the Birrarung (Yarra River) Corridor and its landscape setting at the key viewing locations specified in Table 1 and shown on Maps 1, 2, 3 and 4 to this clause.

Policy guidelines

Consider as relevant:

- The potential for increased visibility of development through:
 - vegetation removal or lopping
 - poor vegetation health
 - seasonal changes.
- Whether the materials, colours, textures and other design elements of a proposed development complement the natural landscape.

Policy documents

Consider as relevant:

- *Burndap Birrarung, Burndap Umarkoo* (Yarra Strategic Plan) (Melbourne Water Corporation, 2022)

Table 1 - Key views from and to the Birrarung (Yarra River) Corridor

Map and reference number	Name of key view
MAP 1	BIRRARUNG (YARRA RIVER) - INNER CITY REACH
Map 1 - 1	River views, Spotswood
Map 1 - 2	River views, Port Melbourne
Map 1 - 3	Viewing Platform - section of old Westgate Bridge, Westgate Park Picnic Ground
Map 1 - 4	River views from restaurants, Docklands
Map 1 - 5	Charles Grimes Bridge, Wurundjeri Way
Map 1 - 6	Spencer Street Bridge, Melbourne
Map 1 - 7	King Street Bridge, Southbank
Map 1 - 8	Queens Bridge, Melbourne
Map 1 - 9	River view, Princes Bridge
Map 1 - 10	Birrarung Marr, Melbourne
Map 1 - 11	River view, Queen Victoria Memorial Building
Map 1 - 12	Swan Street Bridge, Alexandra Avenue
Map 1 - 13	Morell Bridge, South Yarra
Map 1 - 14	Hoddle Bridge, Punt Road
Map 1 - 15	Church Street Bridge, South Yarra
Map 1 - 16	Richmond Park, Richmond
Map 1 - 17	Yarra River Reserve, South Yarra
Map 1 - 18	Herring Island viewing platform, Herring Island
Map 1 - 19	Como Park North, South Yarra
Map 1 - 20	Loys Paddock Reserve, Burnley
Map 1 - 21	Yarra River frontage, Alexandra Avenue
Map 1 - 22	Macrobertson Bridge, St George's Road
Map 1 - 23	Gardiners Creek Bridge, Monash Freeway
Map 1 - 24	Fairview Park, Hawthorn
Map 1 - 25	Wallen Road Bridge, Burnley
Map 1 - 26	Hawthorn Bridge, Bridge Road and Burwood Road

BOROONDARA PLANNING SCHEME

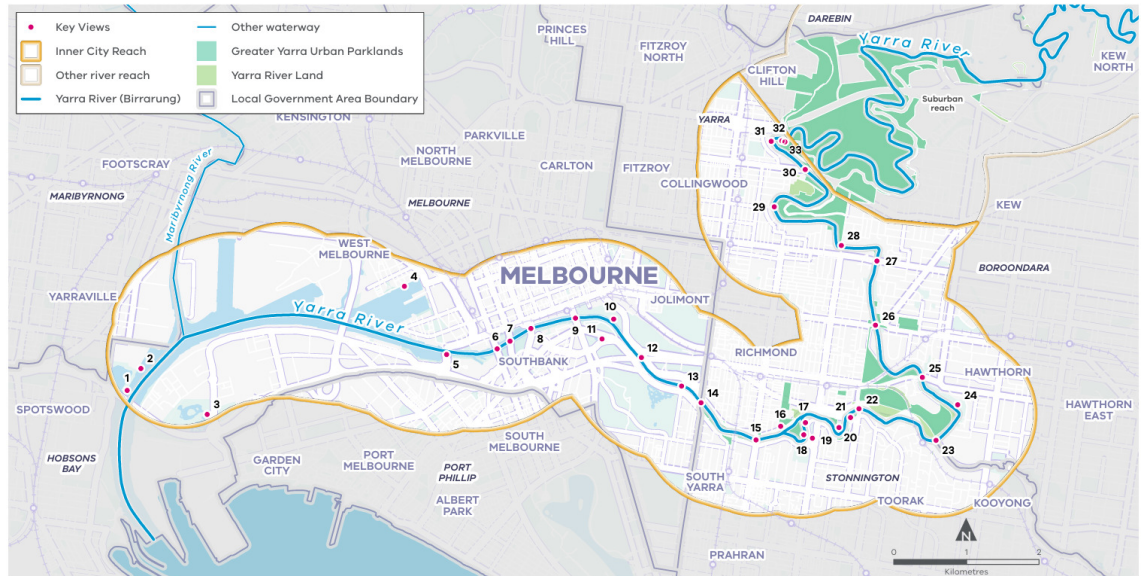
Map and reference number	Name of key view
Map 1 - 27	Victoria Bridge, Victoria Street and Bakers Road
Map 1 - 28	Dickinsons Reserve-Walmer Street wetland foot bridge, Andrews Reserve Trail
Map 1 - 29	Collins Bridge, Gipps Street
Map 1 - 30	Johnston Street Bridge, Abbotsford
Map 1 - 31	'Wominjeka wall', Abbotsford
Map 1 - 32	Yarra Bend Park - Upper Loop Area - Dights Falls
Map 1 - 33	Dights Falls, Abbotsford
MAP 2	BIRRARUNG (YARRA RIVER) - SUBURBAN REACH
Map 2 - 1	Yarra Bend Park - Loop Area Golf House Lookout
Map 2 - 2	Kanes Bridge viewing platform, Yarra Bend Park
Map 2 - 3	Views at Studley Park
Map 2 - 4	Caratis Christi Lookout, Studley Park
Map 2 - 5	Grey Headed Flying Fox Viewing Platform, Bellbird picnic area, Yarra Bend Park
Map 2 - 6	Eastern Freeway Bridge, Kew
Map 2 - 7	Merri Creek Lookout, Yarra Bend Park
Map 2 - 8	Wurundjeri Spur Lookout, Yarra Bend Park
Map 2 - 9	Fairfield Pipe Bridge, Kew
Map 2 - 10	Chandler Highway Bridge, Alphington
Map 2 - 11	Burke Road Bridge, Ivanhoe
Map 2 - 12	Banksia Street, Heidelberg
Map 2 - 13	Views at Banyule Flats Reserve
Map 2 - 14	Yarra River and Plenty River confluence, Viewbank
Map 2 - 15	Finns Reserve suspension bridge, Templestowe
Map 2 - 16	Westerfolds western-most Rapids Observation Point, Templestowe
Map 2 - 17	Manor House viewing platform, Templestowe
Map 2 - 18	Fitzsimons Lane, Templestowe
Map 2 - 19	Candle Bark Park River Lookout, Templestowe
Map 2 - 20	Diamond Creek Trail pedestrian bridge, Eltham
Map 2 - 21	Tikalara Park viewing platform, Templestowe
Map 2 - 22	Pound Bend Reserve tunnel viewing lookout, Templestowe

BOROONDARA PLANNING SCHEME

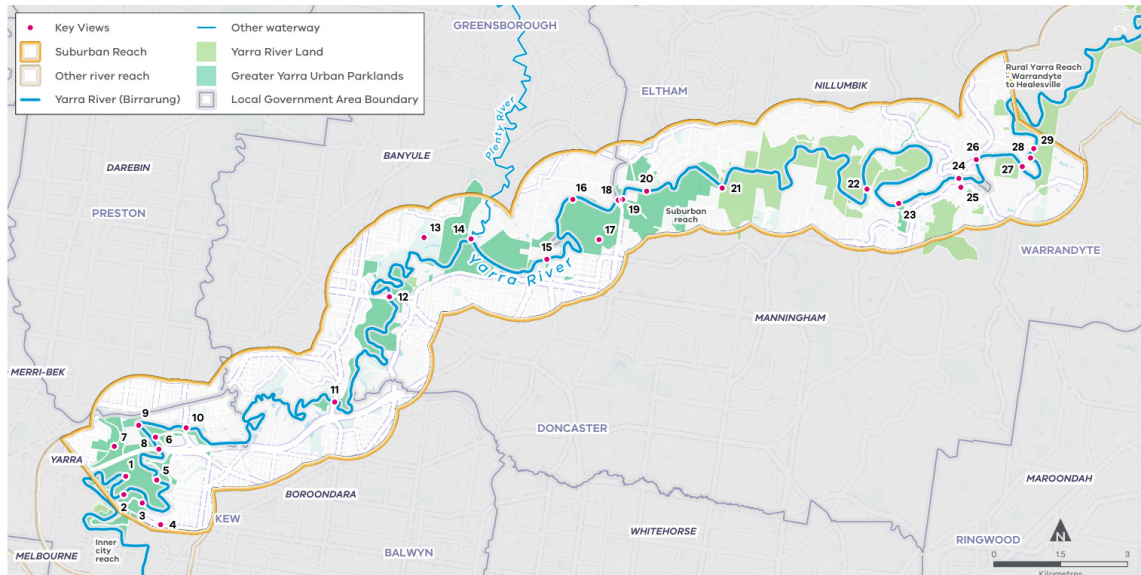
Map and reference number	Name of key view
Map 2 - 23	River view, Warrandyte
Map 2 - 24	Kangaroo Ground-Warrandyte Road, Warrandyte
Map 2 - 25	Views from trails, Warrandyte
Map 2 - 26	100 Steps Lookout Platform, North Warrandyte
Map 2 - 27	River view, Osborne Peninsula
Map 2 - 28	Jumping Creek Reserve viewing platform, North Warrandyte
Map 2 - 29	Sculpture on river, Warrandyte
MAP 3	BIRRARUNG (YARRA RIVER) – LOWER RURAL REACH
Map 3 - 1	Warrandyte Gorge, Wonga Park
Map 3 - 2	Skyline Road, Wonga Park
Map 3 - 3	River view, Wonga Park
Map 3 - 4	Lookout, Warrandyte State Park
Map 3 - 5	Lookout, Chirnside Park, off Carnoustie Crescent
Map 3 - 6	View from the river, Christmas Hills
MAP 4	BIRRARUNG (YARRA RIVER) - UPPER CITY REACH
Map 4 – 1	River view, Launching Place
Map 4 - 2	River view, Yarra Junction
Map 4 - 3	Swing Bridge, Warburton
Map 4 - 4	Brisbane Bridge, Warburton
Map 4 - 5	Bramich Bridge, Warburton
Map 4 - 6	River view, Warburton
Map 4 - 7	River and redwood trees, Warburton
Map 4 - 8	River view, Warburton
Map 4 – 9	Redwood Forest, Cement Creek
Map 4 - 10	Viewing platform, tunnel entrance, Big Peninsula Picnic Area, McMahon's Creek
Map 4 - 11	Brimbonga Outlet Lookout, Upper Yarra Reservoir Park
Map 4 - 12	Lower Reservoir Lookout via Bridge Crossing, Upper Yarra Reservoir Park
Map 4 - 13	Upper Reservoir Lookout, Upper Yarra Reservoir Park

BOROONDARA PLANNING SCHEME

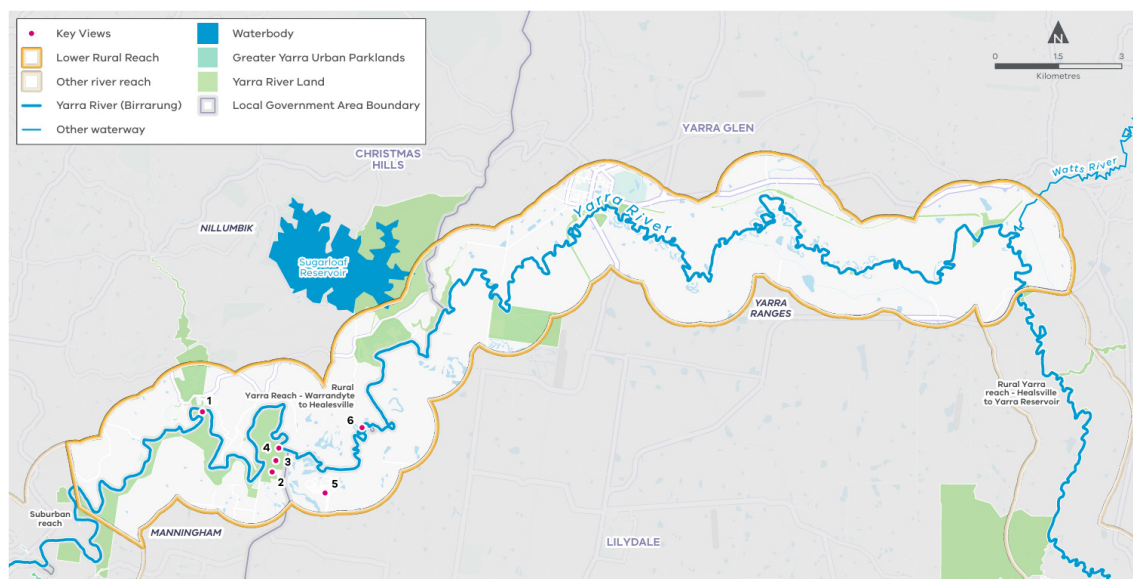
Map 1 Birrarung (Yarra River) - Inner City Reach



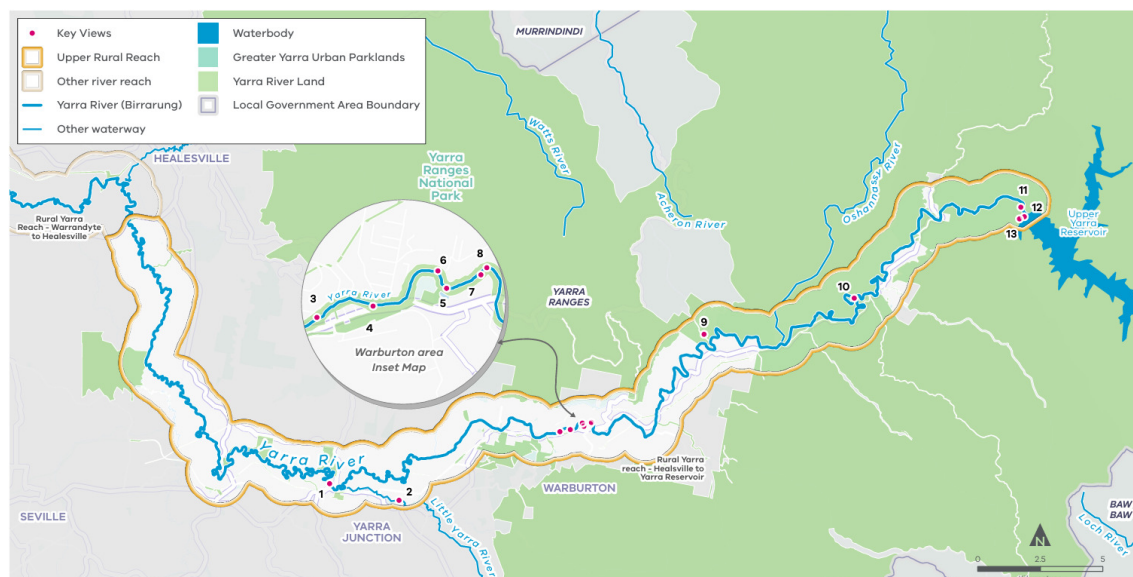
Map 2 Birrarung (Yarra River) - Suburban Reach



Map 3 Birrarung (Yarra River) - Lower Rural Reach



Map 4 Birrarung (Yarra River) - Upper Rural Reach



12.03-1L

26/05/2022
C354boro

Yarra River protection - Boroondara

Objective

To protect the Yarra River Corridor from obtrusive built form.

Strategies

Maintain canopy trees and native understory vegetation, as appropriate.

Provide replacement planting of established trees and understory vegetation where these cannot be retained

Use construction materials that are visually unobtrusive and blend with the natural landscape.

Policy guideline

Consider as relevant:

- Providing trees that have a minimum height of 2 metres at planting.

12.04

31/07/2018
VC148

ALPINE AREAS

12.04-1S20/03/2023
VC229**Sustainable development in alpine areas****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:

BOROONDARA PLANNING SCHEME

- *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

31/07/2018
VC148

SIGNIFICANT ENVIRONMENTS AND LANDSCAPES

12.05-1S

31/07/2018
VC148

Environmentally sensitive areas

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

31/07/2018
VC148

Landscapes

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.

ENVIRONMENTAL RISKS AND AMENITY

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

31/07/2018
VC148

CLIMATE CHANGE IMPACTS

13.01-1S

20/03/2023
VC229

Natural hazards and climate change

Objective

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

Strategies

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

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

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.01-2S

20/03/2023
VC229

Coastal inundation and erosion

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

31/07/2018
VC148

BUSHFIRE

13.02-1S20/03/2023
VC229**Bushfire planning****Policy application**

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

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

Objective

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

Strategies**Protection of human life**

Give priority to the protection of human life by:

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

Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

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

Settlement planning

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

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

Areas of biodiversity conservation value

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

Use and development control in a Bushfire Prone Area

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.03

31/07/2018
VC148

FLOODPLAINS

13.03-1S20/03/2023
VC229**Floodplain management****Objective**

To assist the protection of:

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

Strategies

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.04

31/07/2018
VC148

SOIL DEGRADATION

13.04-1S04/05/2022
VC210**Contaminated and potentially contaminated land****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

31/07/2018
VC148

Erosion and landslip

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

31/07/2018
VC148

Salinity

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

31/07/2018
VC148

NOISE

13.05-1S10/06/2022
VC216**Noise management****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

31/07/2018
VC148

AIR QUALITY

13.06-1S14/01/2025
VC237**Air quality management****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:

- *Separation Distance Guideline* (Environment Protection Authority, August 2024)
- *Landfill Buffer Guideline* (Environment Protection Authority, August 2024)
- *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)

13.07

26/05/2020
VC175

AMENITY, HUMAN HEALTH AND SAFETY

13.07-1S14/01/2025
VC237**Land use compatibility****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:

- *Separation Distance Guideline* (Environment Protection Authority, August 2024)
- *Landfill Buffer Guideline* (Environment Protection Authority, August 2024)

13.07-1L26/05/2022
C354boro**Discretionary uses and development in residential areas****Policy application**

This policy applies to all Section 2 uses, and buildings and works associated with a Section 2 use in any residential zone, except for residentially zoned land within:

- Design and Development Overlay Schedule 12 (West Hawthorn Area).
- Design and Development Overlay Schedule 14 (Kew Junction Activity Centre).
- Design and Development Overlay Schedule 15 (Glenferrie Activity Centre).
- Design and Development Overlay Schedule 16 (Neighbourhood Centres).
- Design and Development Overlay Schedule 17 (Commercial Corridors).
- Design and Development Overlay Schedule 23 (Maling Road Built Form Design Guidelines).

Discretionary uses in residential areas objectives

To minimise adverse amenity impacts from non-residential uses on surrounding residential properties.

To ensure that development associated with discretionary uses respects the established neighbourhood character and contributes to achieving the area's preferred character.

Discretionary uses in residential areas strategies

Avoid the creation of clusters of non-residential activity in residential areas, other than as described in this policy.

Support clustering of medical and associated uses along main roads (Road Zone) if adjoining other medical facilities.

Encourage non-residential uses to locate on sites previously used or developed for non-residential purposes as opposed to sites most recently used and developed for residential purposes.

Encourage non-residential uses to locate on main roads (Road Zone) and on main roads in residential areas.

Encourage non-residential uses to locate on the periphery of existing commercial or shopping centres.

Discourage non-residential uses that generate high levels of noise from locating in attached or semi-detached buildings.

Encourage non-residential uses to re-use existing dwellings where possible to maintain the preferred neighbourhood character.

Design development to respect and contribute positively to the preferred character and integrate with the streetscape and surrounding area in terms of height, setbacks and design detail.

Design built form around the perimeter of 'super-sized lots' located in the General Residential Zone 4 so that their scale is consistent with the prevailing streetscape scale and the scale of adjacent development.

Screen waste storage areas from view from the public realm.

Site waste storage areas away from adjoining private open space and habitable room windows of dwellings.

Site waste storage areas away from adjoining public open space.

Site car parking areas to minimise their impact on the amenity of adjoining residential properties.

Landscape sites to integrate with the landscape character of the streetscape and to minimise the effect of the development on adjoining and nearby residential properties.

Provide landscaping along boundaries abutting residential properties.

Design non-residential uses to minimise traffic volumes and movements that will detrimentally impact residential streets.

Encourage car parking to be located to the side or rear of buildings instead of within front setbacks.

Minimise adverse impacts on residential amenity, including noise, emissions, odours, dust, light spillage, deliveries, loading, waste collection and vehicle access.

Discourage external amplified music that would cause a nuisance to surrounding residential properties.

Incorporate noise attenuation measures and barriers along side or rear boundaries where abutting residential properties.

Support non-residential uses only where the use cannot be located in a nearby commercial zone or centre.

Support non-residential uses only if there is a demonstrable need for the proposed use in the location.

Discretionary uses in residential areas policy guidelines

Consider as relevant:

- Discouraging non-residential development with an overall height above 9 metres in the Neighbourhood Residential Zone 1 and 3, above 11 metres in the General Residential Zone 2 and 3, above 13.5 metres in the Residential Growth Zone.
- Limiting the number of vehicle crossovers to one, unless more than one access point is required for the safe, convenient and efficient movements of vehicles.
- Designing car parking and access ways to allow entry and exit from the site in a forwards direction where access ways are more than 10 metres long.
- Limiting deliveries and unloading to between 7am and 8pm on weekdays, and 8am and 5pm on Saturdays and Sundays.
- Limiting private waste collection to between 7am and 8pm Monday to Friday only.
- Design development to comply with the following siting and amenity standards of ResCode as specified at Clause 54 or in the schedule to the relevant residential zone:
 - Standard A3 (Street setback).
 - Standard A10 (Side and rear setbacks).
 - Standard A12 (Daylight to existing windows).
 - Standard A13 (North facing windows).
 - Standard A14 (Overshadowing open space).
- Locating, siting and operating the specified discretionary uses to meet the following criteria:

Land use	Location, siting and operation criteria
Car wash	▪ Preferably located on a corner site. ▪ All vehicles able to enter and exit the site in forward direction. ▪ Hours of operation where adjoining a residential property: 7am - 9pm.
Child care centre	▪ Drop off and pick up areas to be provided on site. ▪ Hours of operation: 6.30am to 7.30pm.
Community market	▪ Hours of operation: 7am to 5pm, 1 day a week.

BOROONDARA PLANNING SCHEME

Land use	Location, siting and operation criteria
Convenience restaurant, food and drink premises (café), restaurant, take away food premises	▪ Preferably located on a corner site. ▪ Hours of operation where adjoining a residential property: 7am to 10pm Sunday to Thursday, 7am to 11pm Friday and Saturday.
Convenience shop	▪ Preferably located on a corner site. ▪ Hours of operation where adjoining a residential property: 6am to 11pm Sunday to Thursday, 6am to 12am Friday and Saturday.
Display homes	▪ Limit the time that the building may be used for display purposes to 3 years. ▪ Opening hours: 10am to 7pm Monday to Friday, 10am to 5pm Saturday and Sunday.
Education centres	▪ Limit expansion of existing facilities to contiguous land. ▪ Drop off and pick up areas provided on site.
Function centre	▪ Hours of operation where adjoining a residential property: Friday and Saturday 10am to 12am, Sunday to Thursday 10am to 10pm. ▪ Drop off and pick up areas to be provided on site.
Hospital	▪ Drop off and pick up areas provided on site.
Medical centre	▪ Hours of operation: 7.30am to 7pm Monday to Friday, 8am to 5pm Saturday and Sunday.
Place of assembly	▪ Hours of operation where adjoining a residential property: 8am to 10pm Sunday to Thursday, 8am to 11pm Friday and Saturday.
Plant nursery	▪ Preferably located on a corner site. ▪ All vehicles able to enter and exit the site in forward direction. ▪ Hours for loading and unloading stock in outdoor areas (other than for customers): 9am to 6pm. No machinery should be used to move stock outside these times.
Residential village	▪ Locate ambulance and bus bays to the side or rear of building instead of within the front setback.
Service station	▪ Preferably located on a corner site. ▪ All vehicles able to enter and exit the site in forward direction. ▪ Hours of operation where adjoining a residential property: 6am to 11pm Sunday to Thursday, 6am to 12am Friday and Saturday.
Veterinary clinic	▪ Locate boarding facilities in a detached building on the site that incorporates adequate noise attenuation measures to minimise detrimental noise impacts to adjoining properties. ▪ Hours of operation: 7.30am to 7pm Monday to Friday, 8am to 5pm Saturday and Sunday.

Policy document

Consider as relevant:

- *Boroondara Access and Inclusion Plan 2013-17* (City of Boroondara, 2013)

13.07-2S

26/10/2018
VC152

Major hazard facilities

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

01/07/2025
VC286

Live music

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 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 live music venues.

NATURAL RESOURCE MANAGEMENT

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

31/07/2018
VC148

AGRICULTURE

14.01-1S20/03/2023
VC229**Protection of agricultural land****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

31/07/2018
VC148

Protection of agricultural land - Metropolitan Melbourne

Strategy

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

14.01-2S

21/09/2018
VC150

Sustainable agricultural land use

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)

14.01-3S20/03/2023
VC229**Forestry and timber production****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

31/07/2018
VC148

WATER

14.02-1S22/11/2024
VC263**Catchment planning and management****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)

BOROONDARA PLANNING SCHEME

- *Planning Permit Applications in Special Water Supply Catchment Areas* (Department of Energy, Environment and Climate Action, 2024)
- *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)

14.02-2S22/11/2024
VC263**Water quality****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.

Ensure that the siting, design, operation and rehabilitation of landfills avoids impacts on groundwater and surface water.

Avoid detrimental impacts on groundwater resources and minimise risk of harm to human health and the environment from proposed land use or development.

Policy documents

Consider as relevant:

- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020)
- *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)
- *Planning Permit Applications in Special Water Supply Catchment Areas* (Department of Energy, Environment and Climate Action, 2024)

14.02-3S

28/10/2022
VC224

Protection of declared irrigation districts

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

31/07/2018
VC148

EARTH AND ENERGY RESOURCES

14.03-1S

19/08/2021
VC196

Resource exploration and extraction

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)

BUILT ENVIRONMENT AND HERITAGE

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

31/07/2018
VC148

BUILT ENVIRONMENT

15.01-1S31/07/2018
VC148**Urban design****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

31/07/2018
VC148

Urban design - Metropolitan Melbourne

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 and built form outcomes

26/05/2022
C354boro

Objective

To achieve high quality urban design and built form outcomes which enhance streetscapes, maintain amenity and cater to a diversity of user needs.

Strategies

Facilitate development that sensitively manages its various interfaces.

Design buildings and their internal layout to maximise passive surveillance, engagement and safety within the public realm.

Provide continuous weather protection canopies within activity centres and adjacent to commercial premises to ensure sheltered and comfortable pedestrian environments.

Design development to be responsive to existing streetscape patterns and themes.

Provide landscaping as an integral part of the overall design of development.

Design development to contribute positively to streets and laneways as high quality public spaces including their amenity and appearance.

Site and design service areas (and other utility requirements) of buildings to face the private domain where possible or to be fully screened from the public realm.

Design development so that is accessible for people with all abilities.

Policy documents

Consider as relevant:

- *Balwyn Access Plan* (City of Boroondara, June 2013)
- *Neighbourhood Centres and Commercial Corridors Guidelines* (City of Boroondara, 2014)
- *West Hawthorn Urban Design Framework* (David Lock Associates, 2006)

15.01-1L-02 Neighbourhood centres and commercial corridors built form

26/05/2022
C354boro

Policy application

This policy applies to all land within the neighbourhood centres and commercial corridors identified in Map 1 at Clause 11.03-01L.

This policy does not apply to the:

- Camberwell Junction Activity Centre.
- Glenferrie Activity Centre.
- Kew Junction Activity Centre.
- West Hawthorn Area.
- Tooronga Village.

Objectives

To achieve excellence in design and high quality, contemporary architecture that efficiently utilises the site, enhances the character of the centre or corridor and actively engages with the public realm.

To ensure development is designed to provide for the amenity of future occupants of the development and does not detrimentally impact of the amenity of adjoining residential properties.

To ensure the functionality, amenity and character of streets and laneways are protected and enhanced.

Strategies

Facade articulation and detailing strategies

Facilitate façade articulation and design treatments that:

- Maintain the fine grain shop front patterns of existing retail and commercial premises.
- Distinguish recessed upper level built form from the main building façade.
- Provide variation to surface alignment and materials to create visual interest.

Provide active ground level frontages to facilitate interaction and engagement at street level.

Provide architectural detailing that accentuates prominent corners at key intersections or other places of community significance.

Ensure that the combined effect of the height, setbacks and design treatment of new buildings do not dominate a heritage place on or adjoining the site.

Provide external lighting that enhances the architectural features of the building and complements lighting in the public domain without causing unreasonable off-site amenity impacts.

Avoid blank side walls and design visible faces of buildings to be articulated and visually interesting with a mixture of materials and finishes.

Integration with the primary and side street frontage, and public realm strategies

Allow the upper levels of buildings to cantilever over a ground floor setback if the projection extends no further than the property line, is cantilevered (with no columns).

Site and design ramps or steps to be contained within the building or property boundary where they are necessary.

Support ground floor dwelling entries that are distinct and subordinate to the ground floor retail/commercial frontage.

Avoid disrupting the retail/commercial frontage of key retail environments by providing secondary pedestrian access to upper level building spaces (e.g. to shop-top dwellings) from side streets or rear laneways.

Facilitate ground floor residential entries on corner sites, to be located on the side street rather than the primary retail/commercial frontage.

Design ground floor frontages without windows to be well articulated with materials and finishes that are durable, do not stain easily, weather well over time and are resilient to wear and tear.

Design residential premises at upper levels to face streets and laneways.

Avoid service spaces (storerooms, toilets, lifts, garages, plants and equipment) and windowless activities (e.g. cinemas) from being located at the ground floor along street frontages.

Provide street setbacks for developments that complement the street setbacks of a heritage place on or adjoining the site.

Integration with the primary and side street frontage, and public realm policy guidelines

Consider as relevant:

- Maintaining a minimum clearance of 3.5 metres above a footpath or 4.5 metres above a vehicle accessway for any cantilevered element.
- Ensuring the minimum extent of transparent glazed windows or doors along ground floor frontages onto a street (calculated on a per building basis) is 75 per cent in the Commercial 1 Zone.
- Limiting the length of any part of the ground floor frontage without windows to 10 metres.

Weather protection to footpaths strategies

Support the incorporation of weather protection for pedestrians along street frontages in the form of verandahs, awnings or canopies over the footpath.

Design verandahs to achieve continuous unbroken pedestrian weather protection.

Design verandahs as integral parts of the building and architectural features that complement the façade and streetscape.

Cantilever verandahs so that they avoid obstructive post/columns or perceived privatisation of the public domain.

Ensure that on sloping sites, verandas step down to follow the slope of the street and the junctions are designed to provide continuous weather protection without gaps in coverage at the level changes.

Weather protection to footpaths policy guideline

Consider as relevant:

- Maintaining a minimum clearance of 3.5 metres above the footpath level and 0.75 metres from the back of kerb for any verandah, awning or canopy.

Laneways strategies

Avoid ground level setbacks along laneways, unless the same setback can be provided on adjoining properties to create a consistently wider, accessible and attractive laneway.

Continue the surface materials of adjoining laneways in the design of any ground level setbacks to the laneway so they read as parts of the public realm.

Avoid unenclosed ground level setbacks for rubbish and recycling bins, loading bays and service/utility areas fronting onto laneways.

Conceal waste and recycling facilities within secure dedicated enclosures that are integrated into the design of the building.

Minimise buildings and works encroaching into laneways.

Upper level setbacks

Maintain and enhance the intimate environment of service lanes by setting built forms at upper levels back from the service lane.

Design development to reduce the visual bulk towards laneways.

Abutting residential zones strategies

Support development that contributes to an improved interface between the neighbourhood centres and the established residential areas through the provision of recessed and articulated development and an appropriate scale.

Avoid windows and balconies overlooking private open space or habitable rooms on the opposite side of the service lane.

Abutting residential zones policy guideline

Consider as relevant:

- Minimising overshadowing of photovoltaic panels or solar hot water collectors located on the roof top of adjoining dwellings within a Residential Zone, between 9am and 3pm at the September equinox.

Vehicular access to sites strategies

Provide all vehicle access from service lanes if a site abuts a service lane and avoid the creation of driveway crossovers from other streets unless:

- The service lane is too narrow for vehicular entry and cannot be widened as part of the development proposal, or
- The traffic volume generated by the development would exceed the capacity of the service lane, as determined by a qualified independent traffic engineer and Council's engineers.

Provide car parking in basements where feasible, and to the rear of properties where laneway access is available.

Pedestrian entries from service lanes strategies

Avoid pedestrian access from service lanes where:

- The pedestrian access interferes with the servicing functions of the lane for other properties.
- Bluestone pitchers or other uneven pavements of the service lane prevent access to the entry by people with limited mobility.
- There is no public lighting to the service lane between the street and the proposed entry, and the new development cannot provide for new lighting along this length.

Support secondary pedestrian entries along service lanes where safe and practical, and where a service lane abuts car parking or public open space, to increase activity and connectivity.

Links and extensions of service lanes strategy

Design development to provide setbacks that allow for the removal of laneway dead ends and facilitate vehicular through-links. The alignment, width and paving of the service lane should be continued through any such lane extensions.

Frontages onto public open space strategies

Support developments using any lane or other public right-of-way located between the subject site and the adjoining public open space as a second street frontage.

Allow the use of an existing public open space pathway along the shared boundary for pedestrian access to entries of adjoining properties if:

- Doors and gates do not swing open into the path.
- The path width is able to accommodate the pedestrian and bicycle volumes that may be generated by the development.

Shared side and rear boundaries strategies

Encourage the following design outcomes when the subject site does not abut or adjoin a Residential Zone:

- Zero lot lines along shared side and rear boundaries for walls without habitable room windows unless the adjacent property includes dwellings with their primary or secondary outlook orientated towards the subject site.
- Where blank side walls will be visible from the public realm, visual interest should be provided through the use of varied materials or finishes.

Overshadowing and overlooking strategy

Minimise the impacts of overshadowing and overlooking on the amenity of adjoining residential properties and habitable room windows.

Policy document

Consider as relevant:

- *Neighbourhood Centres and Commercial Corridors Guidelines* (City of Boroondara, 2014)

15.01-1L-03 Signs

26/05/2022
C354boro

Policy application

This policy applies to all applications for signs, other than in a Heritage Overlay.

Objectives

To ensure signage is sensitively integrated into use and development and streetscapes.

To ensure the extent, design and location of signage does not result in unreasonable character or amenity impacts on adjoining properties or public open space, including through illumination.

To ensure the number of signs reflects the nature and intensity of the land use of the area.

General Strategies

Remove unnecessary or inappropriately located signs when a new sign is installed.

Ensure the type and number of signs reflects the centre's role and function within the City's hierarchy of activity centres.

Limit signage to what is necessary to identify the use or premises and present as an orderly display.

Discourage V-board signs erected on the verandah or awning in all centres.

Discourage signs above verandah level, unless on a building feature that has been designed to accommodate such signs.

Discourage large supporting frameworks for signs and illumination.

Ensure signage on a side wall does not dominate a building or obscure views of signs on adjacent sites.

Ensure wall signs do not cover architectural features or detailing of a building and are sized in proportion with parapets, panels, windows and wall areas.

Confine small promotion signs to the advertising of products or services provided from the premises in an orderly display.

Support non-illuminated, innovative signs (including mural and model type signs), that enhance the shopfront presentation and promotion, above verandah level, where the signage is in scale with the building and presents an orderly display in the streetscape.

Locate signs so that they do not hinder a view to ground level display windows.

Ensure signs are positioned and designed to fit within any spaces created by architectural elements on the host building.

Position signs so that they are not above a side wall or where the sign could obscure architectural features of the host building.

Minimise the number of signs needed to convey multiple messages and multiple occupancies.

Ensure illuminated signs do not cause light spill or glare onto residential areas and public open space.

Ensure signs are not installed on the upper level façade where no, or limited numbers, of signs are in this location.

Ensure signs on the parapet are positioned in the same location as on adjoining, or nearby shops of the same or similar height.

General policy guidelines

Consider as relevant:

- Limiting signage to one or two signs when needed to convey multiple messages and multiple occupancies.
- Ceasing illumination of signs beyond 10pm where facing a residential area or open space.
- Limiting permanent signs on display windows of retail premises so they do not cover more than 25 per cent of the display window.
- Avoid locating signage on walls facing residential areas or public open space (see Figure 1 below).

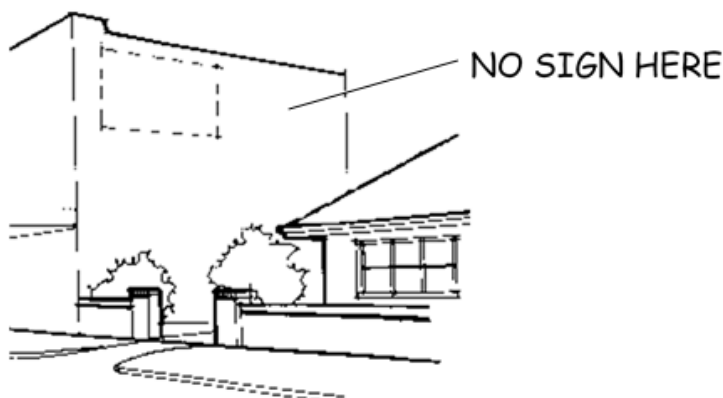


Figure 1 - Location of signs on walls facing residential areas

- Locating signage on the ground level façade in keeping with Figure 2 below, where appropriate on the host building.

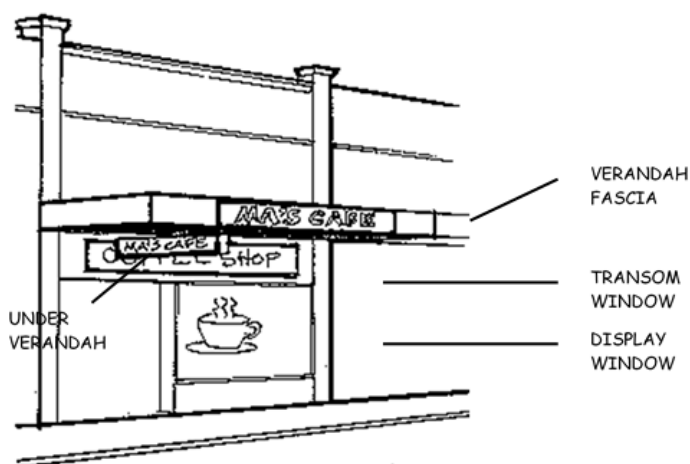


Figure 2 - Location of ground level signs

- Locating signs on the upper level façade to match Figure 3 below, where appropriate on the host building.

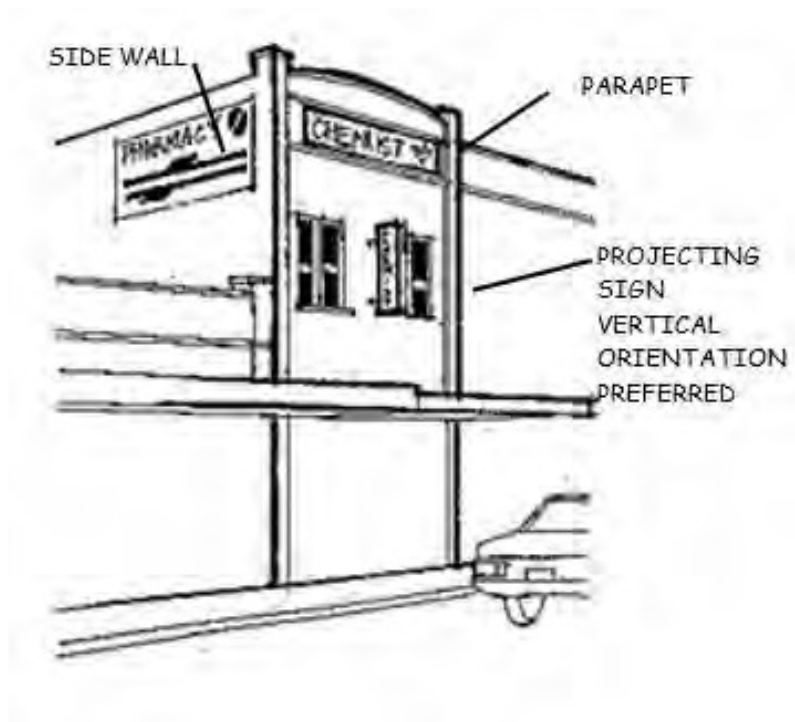


Figure 3 - Location of upper level signs

Camberwell Junction, Kew Junction and Glenferrie Activity Centres signage strategies

Encourage illuminated signs (particularly non-flashing, neon tubular art signs) and electronic signs that add vitality to the centre or create a safer and brighter environment at night, at ground level, unless the premises faces a residential area or public open space.

Ensure sky signs, electronic signs, high wall signs and projecting off-wall signs on upper façades respect the architecture of the building and surrounding neighbourhood character and do not result in amenity impacts to adjoining residential properties or public open space.

Discourage reflective signs, flashing lights and bunting.

Support wall signs being externally illuminated (floodlit), provided light fittings are unobtrusive.

Ensure projecting signs above the verandah are vertical in proportion (i.e. their height is greater than their width) and located between the window head and the window sill on two-storey buildings.

Locate animated signs associated with creative neon tube signs or continuous message signs as part of window displays.

Limit the use of neon tubing to define the outline of a building or one building element in one colour (appropriate to the area).

Ensure sky signs are architecturally integrated with the host building.

Camberwell Junction, Kew Junction and Glenferrie Activity Centres signage policy guideline

Consider as relevant:

- Limiting the area creative neon script or metal work signs occupy to a rectangle less than 10 square metres.

Neighbourhood centres signage strategy

Discourage animated signs, electronic signs, reflective signs, flashing or running lights, sky signs, panel signs, major promotion signs, high wall signs, bunting and banner signs in neighbourhood centres.

Commercial corridors signage strategies

Encourage the use of a directory board to identify the name of estates and their occupants.

Ensure signs for units of a multi-occupancy building are of a uniform shape, size and presentation and displayed in similar locations.

Support the provision of projecting signs in multi-occupancy buildings where they are a vertically orientated rather than horizontal.

Commercial corridors signage policy guidelines

Consider as relevant:

- Allowing a maximum of two signs to identify the name of estates and their occupants where necessary.
- Limiting signs on multi-occupancy buildings to one per occupancy.
- Limiting projecting signs to one per occupancy.

Residential and other non-commercial areas signage strategies

Ensure signs do not dominate the street.

Ensure signs are located within the boundary of the site, single faced and parallel or at right angles to the street.

Discourage above verandah signs, flashing or running lights and reflective signs.

Residential and other non-commercial areas signage policy guidelines

Consider as relevant:

- Ensuring freestanding signs for medical centres and similar non-residential uses are low profile with a maximum height of 2 metres if located adjacent to a Road Zone, Category 1 or otherwise 1.5 metres if in a residential zone.
- Allowing only one identification sign per street frontage.

Major promotion and promotion panel signs strategies

Encourage major promotion, promotion and panel signs within activity centres on land adjacent to a Road Zone, Category 1 where they are consistent with the character of the centre.

Avoid major promotion, promotion or panel signs being displayed on, above, or across a Road Zone, Category 1.

Minimise the projection of promotion, major promotion or panel signs into a local road reserve.

Ensure signs complement the architectural lines of the building and the wall and do not dominate a building or a wall.

Major promotion and promotion panel signs policy guideline

Consider as relevant:

- Limiting promotion, major promotion or panel signs to one per wall, per premises where located adjacent to a Road Zone, Category 1 in an activity centre, neighbourhood centre or commercial corridor (see Figure 4 below).

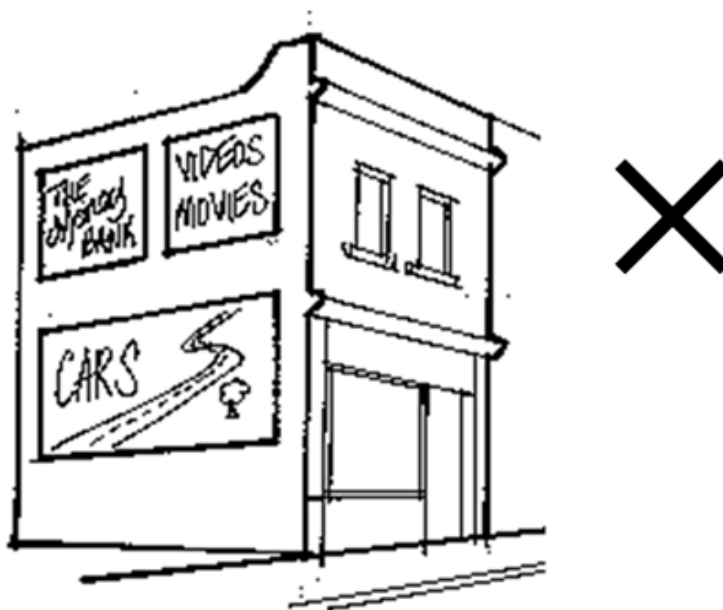


Figure 4 - Location of major promotion signs

Illuminated signage (includes floodlit signs) strategies

Restrict illuminated signage to the following locations:

- Suspended under the verandah or cantilevered over the footpath at standard awning level (internally illuminated).
- On the display window (generally neon type).
- On the parapet or upper façade (externally illuminated or floodlit).

Discourage illuminated signage on the upper façade of buildings with significant architectural or heritage features, unless with floodlighting. This should generally only be supported in Camberwell Junction, Kew Junction and Glenferrie Major Activity Centres.

Freestanding signs strategies

Discourage freestanding signs (including pole signs) unless the pole, freestanding or pylon sign is located within the setback area and the number of pole signs is limited to one per frontage.

Discourage pylon signs (freeway signs).

Limit further freestanding signs to directional signs at a height easily read by motorists, located within the site boundaries.

Stand-alone retail premises strategies

Locate signage on the main building or canopy.

Confine signs to non-residential street frontages.

Discourage bunting signs, above verandah signs, sky signs, reflective signs and flashing lights in favour of clear, concise signs on the wall or canopy of the building or a pole sign.

Discourage promotion, major promotion and panel signs on stand-alone premises.

Stand-alone retail premises policy guideline

Consider as relevant:

- Limiting pole, freestanding or pylon signs to one per frontage.

15.01-2S

01/01/2024
VC250

Building design

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.

Restrict the provision of reticulated natural gas in new dwelling development.

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)

15.01-3S

01/01/2024
VC250

Subdivision design

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.
- Providing all-electric lots.

Policy documents

Consider as relevant:

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

15.01-4S31/07/2018
VC148**Healthy neighbourhoods****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

31/07/2018
VC148

Healthy neighbourhoods - Metropolitan Melbourne

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.

15.01-5S09/10/2020
VC169**Neighbourhood character****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

11/04/2025
GC252

Neighbourhood character - Boroondara

Policy application

This policy applies to applications for development in the Neighbourhood Residential, General Residential and Residential Growth zones, and the variations or removal of a covenant or restriction on title in those zones, except for land within:

- Design and Development Overlay Schedule 1 (Willsmere Design and Development Area)
- Design and Development Overlay Schedule 2 (Willsmere Historical Building Design and Development Area)
- Design and Development Overlay Schedule 12 (West Hawthorn Area)
- Design and Development Overlay Schedule 14 (Kew Junction Activity Centre)
- Design and Development Overlay Schedule 15 (Glenferrie Activity Centre)
- Design and Development Overlay Schedule 16 (Neighbourhood Centres)
- Design and Development Overlay Schedule 17 (Commercial Corridors)
- Design and Development Overlay Schedule 23 (Maling Road Built Form Design Guidelines)
- Development Plan Overlay Schedule 3 (Kew Residential Services).
- Development Plan Overlay Schedule 4 (442-450 Auburn Road and 9 Bills Street, Hawthorn)
- Built Form Overlay Schedule 1 (Camberwell Junction Major Activity Centre)

This policy does not apply to land zoned GRZ4 located within activity centre, neighbourhood centre or commercial corridor boundaries.

This policy does not apply to an application if approval is solely required under any of the following overlays:

- Environmental Significance Overlay
- Vegetation Protection Overlay
- Significant Landscape Overlay
- Heritage Overlay
- Design and Development Overlay Schedule 31 (Yarra (Birrarung) River Protection Corridor)
- Land Subject to Inundation Overlay
- Special Building Overlay
- Public Acquisition Overlay
- City Link Project Overlay.

Objective

To ensure development retains and enhances the key character attributes that contribute to a precinct's preferred character.

General strategies

Maintain the City's valued residential visual amenity including landscaped settings and leafy streets.

Avoid the loss of mature trees and gardens and ensure development provides adequate space for new vegetation, particularly canopy trees.

Ensure in all areas except General Residential Zone Schedule 4 that development respects, responds to and makes a positive contribution to the precinct's preferred character.

General policy guidelines

Consider as relevant:

Where sites are also affected by a Heritage Overlay, designing development to meet policy at 15.03-1L and requirements at 43.01 in preference to the preferred neighbourhood character in relation to the following:

- The siting, form and extent of visibility of extensions constructed to ‘significant’ and ‘contributory’ graded buildings.
- The siting of car parking facilities.
- The height of front fences.

Neighbourhood Residential Zone Schedule 3

Objectives

To provide for development that maintains the spacious character including the consistent spine of backyards and low site coverage.

To ensure development responds to the smaller lot sizes, narrower side setbacks, smaller front and rear gardens and higher site coverage of some inner urban areas.

Strategies

Set development back from the front, side and rear boundaries, consistent with the preferred character of the precinct.

Site development to retain an area of open space to the rear of the dwelling that is capable of accommodating canopy trees.

Avoid attached dwellings set one behind the other that provide no visual separation between built forms.

Design upper storeys of dwellings at the rear of lots to be recessive and have a reduced footprint to the ground floor.

Neighbourhood Residential Zone Schedule 1 and General Residential Zone Schedule 1

Objectives

To provide for development that respects the suburban, detached character.

To enhance the precincts’ sense of greenery and open feel.

Strategies

Set development back from front, side and rear boundaries to maintain a sense of separation between buildings.

Encourage development to retain space for canopy trees in front and rear gardens.

Provide private open space for each dwelling at ground level.

Articulate development to reduce visual bulk impacts on adjoining properties.

Design multi-dwelling developments to read as a single detached dwelling from the street.

Avoid continuous building mass for the length of a property by providing upper level separation between dwellings and varying surface alignment and materials within continuous wall planes.

Discourage apartment style developments, unless they are part of the character of the immediate area.

Policy guideline

Consider as relevant:

- Encouraging development of up to 2 storeys.

General Residential Zone Schedule 2 and 3

Objective

To facilitate development that integrates with and complements the varied scale and type of development in the precinct.

Strategies

Design building facades to be consistent with those that are characteristic of the streetscape.

Set development back from the front, side and rear boundaries, consistent with the preferred character of the precinct.

Provide a transition in building scale and setbacks to residential properties located within the Neighbourhood Residential Zone 3 and public open space areas.

Design and site development adjacent to a property in an individual Heritage Overlay fronting onto the same street so that it provides for a transition in scale and does not detrimentally impact the heritage significance of the place.

Policy guidelines

Consider as relevant:

- To facilitate development up to three storeys.
- Ensuring that building facades are no more than 2 storeys high to the street frontage, unless higher front facades are a consistent characteristic of the streetscape.

General Residential Zone Schedule 4

Objective

To allow for development to occur at greater height and density than the surrounding area without detrimentally impacting on the preferred character of the precinct.

Strategies

Ensure development around the perimeter of ‘super-sized lots’ is consistent with and reinforces the precinct’s preferred character.

Support increased building heights within a site where the increased height will not adversely impact the precinct’s preferred character.

Provide landscaped setbacks around the perimeter of the site.

Residential Growth Zone Schedule 1

Objective

To facilitate a diversity of housing types.

Residential Growth Zone Schedule 1

Strategies

Set development back from front, side and rear boundaries consistent with the preferred character of the precinct.

Provide a transition in building scale and setbacks to residential properties located within the Neighbourhood Residential Zone Schedule 3 or public open space areas.

Design and site development adjacent to a property in an individual Heritage Overlay fronting onto the same street to provide a transition in scale and not detrimentally impact the heritage significance of the place.

Policy guidelines

Consider as relevant:

- Ensuring that buildings are composed of facades that are no more than 3 storeys high to the street.

Variation or removal of a covenant or a restriction on title objective

To ensure the variation or removal of a covenant does not adversely impact a precinct's preferred character.

Variation or removal of a covenant or a restriction on title strategies

Discourage the removal of single dwelling covenants.

Ensure the removal or variation of a restriction does not facilitate development that will adversely impact the precinct's preferred character including but not limited to building materials and dwelling setbacks.

Subdivision objective

To ensure residential subdivision reinforces the precinct's preferred character.

Subdivision strategies

Discourage subdivisions without approved buildings that create lots smaller than those in the surrounding area.

If a subdivision proposes the creation of lots that do not contain an existing or approved dwelling:

- Ensure subdivision is consistent with the prevailing pattern of subdivision within the street and surrounding precinct.
- Ensure that appropriate siting and context, including space for canopy tree planting within front and rear setbacks, are maintained where this forms part of the preferred character of the precinct.
- Discourage the subdivision of lots where this would result in frontage widths that would be inconsistent with the prevailing frontage widths in the streetscape.

Ensure subdivisions that propose the creation of lots not containing an existing or approved dwelling, the location and size of future dwellings will maintain and enhance the identified elements that make a positive contribution to the preferred character of the precinct, including:

- Setbacks from existing and proposed boundaries.
- Setbacks from existing vegetation, including the tree protection zone for trees to be retained.
- Site coverage.
- Location of car parking and car access (including on-street parking).
- Location and dimensions of secluded private open space.

Ensure that future development of lots not containing an existing or approved dwelling can provide adequate:

- Natural daylight to neighbouring habitable windows.
- Solar access for proposed private open spaces.

Locate vehicle crossovers to provide adequate distance from street trees/poles/hydrants in accordance with any approval issued by Council's Engineering Department.

Ensure that future development of lots not containing an existing or approved dwelling:

- Allows for the retention of existing canopy trees where the total circumference of all stems measured at 1.5 metres from the ground equals or is greater than 1.1 metres.
- Protects trees within 3 metres on neighbouring properties.

Subdivision policy guideline

Consider as relevant:

- Not supporting the subdivision of land unless it is accompanied by an application for buildings and works, or follows the approval of buildings and works on the site.

Policy documents

Consider as relevant:

- *Neighbourhood Character Precinct Statements* (City of Boroondara, 2013)
- *Single Dwelling Covenant Policy* (City of Boroondara, December 2019)

15.01-6S

31/07/2018
VC148

Design for rural areas

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

10/06/2022
VC216

[NO CONTENT]

15.02-1S

[NO CONTENT]

10/06/2022
VC216

15.02-1L

26/05/2022
C354boro

Energy and resource efficiency - Boroondara

Strategies

Promote building design that incorporates passive solar design principles including:

- Maximising northern orientation to internal and external living spaces and windows.
- Maximising access to natural light and ventilation.

Encourage 'green' (i.e. vegetated) roofs and walls with a supporting maintenance program.

Support energy efficient building design.

Support adaptive re-use of buildings.

Support the re-use and recycling of building materials, and use of recycled, locally sourced and sustainable building materials.

Support appropriate waste storage and collection facilities being provided on-site for all types of waste streams.

Facilitate a precinct wide energy supply that can be shared between developments, where appropriate.

Support the use of light coloured and heat reflective surfaces to buildings and pavements.

Design development to provide private open space of sufficient dimensions to allow for the planting of canopy trees.

Protect trees to maintain the tree canopy.

Support development that is not located within walking distance of public open space to incorporate public open space that can provide a respite from heat wave conditions.

15.03

31/07/2018
VC148

HERITAGE

15.03-1S

26/10/2018
VC155

Heritage conservation

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

26/05/2022
C354boro

Heritage in Boroondara

Policy application

This policy applies to land affected by the Heritage Overlay.

Objectives

To preserve 'significant' heritage places, protecting all significant heritage fabric including elements that cannot be seen from the public realm.

To facilitate sympathetic new buildings which extend the life of 'significant' heritage places.

To retain and conserve 'contributory' places and fabric in the Heritage Overlay which are visible from the primary street frontage.

To facilitate sympathetic additions, alterations and new buildings to 'contributory' heritage places which are massed, detailed, finished and located to preserve the presentation of the place from the street.

To ensure buildings and works to 'non-contributory' properties are sympathetic to the heritage values of the precinct and complement the precinct's heritage built fabric by being respectful of the scale, massing, rhythm and detailing.

Significant heritage places strategies

Retain significant built fabric and not normally allow demolition.

Permit partial demolition of significant built fabric for the purpose of additions and alterations only if the partial demolition, additions and alterations will not adversely affect the cultural heritage significance of the place and will assist the long term conservation of the building.

Support the demolition of non-original and non-contributory additions.

Ensure alterations, including restoration or reconstruction works, maintain the significance and integrity of the heritage place.

Encourage reconstruction of features or finishes formerly removed, only where historic evidence of original or earlier appearance can be found.

Ensure that materials and restoration techniques consistent with the historic period of the heritage place are used.

Discourage the painting of previously unpainted surfaces. This does not apply to non-original features.

Discourage the rendering of previously non-rendered surfaces.

Discourage painting in a manner that detracts from the understanding of the place, including painting in corporate colours, painting over and covering windows and the loss of contrast that provides for articulation of heritage features.

Discourage sandblasting of rendered, masonry or timber surfaces.

Discourage the introduction of architectural features, unless there is evidence that they were originally present.

Ensure development does not alter fabric that contributes to the cultural heritage significance of any part of a 'significant' heritage place including elements that cannot be seen from the public realm.

Ensure development does not obscure fabric that contributes to the cultural heritage significance of any part of a 'significant' heritage place that addresses the public realm.

Use materials and surface finishes that are complementary to the fabric of the heritage place.

Encourage the reuse of previously demolished building materials from the heritage place in the design and construction of new additions to buildings.

Incorporate design details that complement the design of the heritage place (including the type and form of windows, doors, architectural features and verandahs), that are:

- Interpretive, that honestly admit their modernity while relating to the heritage character of their surroundings, or are a replication of historic forms and detailing.
- Located and massed in a manner that does not detract from or dominate significant fabric of the heritage place (through siting and massing). This should be achieved utilising a combination of setbacks, heights and physical separation as appropriate. This does not apply to commercial buildings.
- Located to the rear of the heritage place, where possible.
- Sympathetic with heritage fabric of the place rather than any 'non-contributory' elements of the place.

Contributory heritage places strategies

Retain contributory built fabric and not normally allow demolition.

Permit partial demolition of 'contributory' heritage places for the purpose of additions and alterations only if the partial demolition, additions and alterations will not adversely affect the cultural heritage significance of the precinct and in particular ensure that the original built fabric which contributes to the heritage values of the precinct is retained.

Discourage demolition that results in 'facadism' - where only the very front most parts of the heritage place are maintained but the integrity and massing of the place is lost either through demolition or obtrusive additions.

Support demolition to remove non-original and non-contributory additions to 'contributory' heritage places.

Ensure alterations, including restoration or reconstruction works, maintain the cultural heritage significance and integrity of the place.

Encourage reconstruction of features or finishes formerly removed only in instances where historic evidence of original or earlier appearance can be found.

Ensure that materials are sympathetic to the heritage place.

Discourage the painting of previously unpainted surfaces, particularly to the primary street frontage. This does not apply to non-original features.

Discourage the rendering of previously non-rendered surfaces.

Discourage painting in a manner that detracts from the understanding of the place, including painting in corporate colours, painting over and covering windows and the loss of contrast that provides for articulation of heritage features.

Discourage sandblasting of rendered, masonry or timber surfaces.

Discourage the introduction of architectural features, unless there is evidence that they were originally present.

Ensure additions and new buildings do not alter or obscure fabric that contributes to the cultural heritage significance of a 'contributory' heritage place including changes to the principal visible roof forms or principal façade.

Ensure additions and new buildings do not unreasonably obscure 'contributory' or 'significant' fabric in the wider precinct.

Use of materials and surface finishes that are complementary to the contributory fabric of the heritage place.

Encourage the reuse of previously demolished building materials from the heritage place in the design and construction of new additions to buildings.

Use design details that complement the design of the heritage place, (including, the type and form of windows, doors, architectural features and verandahs).

Ensure design details of new buildings and works are either:

- Interpretive, that honestly admit their modernity while relating to the heritage character of their surroundings.
- A replication of historic forms and detailing.

Ensure additions and new buildings (other than commercial buildings), are:

- Located in manner that does not detract from or dominate the heritage place or the heritage values of the precinct.
- Designed and sited to respect the significance of the heritage place utilising a combination of setbacks and matching the height of the heritage place.

Design additions and new buildings to be visually recessive and read as a secondary element to the heritage place. Where side setbacks are an important feature in a heritage precinct, ground level additions should have side setbacks that are the same or similar to those of the precinct.

Locate additions and new buildings to the rear of the heritage place where possible.

Design additions and new buildings to be sympathetic with the heritage fabric of the place and precinct rather than any 'non-contributory' elements of the place.

Contributory heritage places policy guidelines

Consider as relevant:

- Siting and massing development to be behind and visually recessive to the heritage place as shown on Figures 1, 2 and 3.

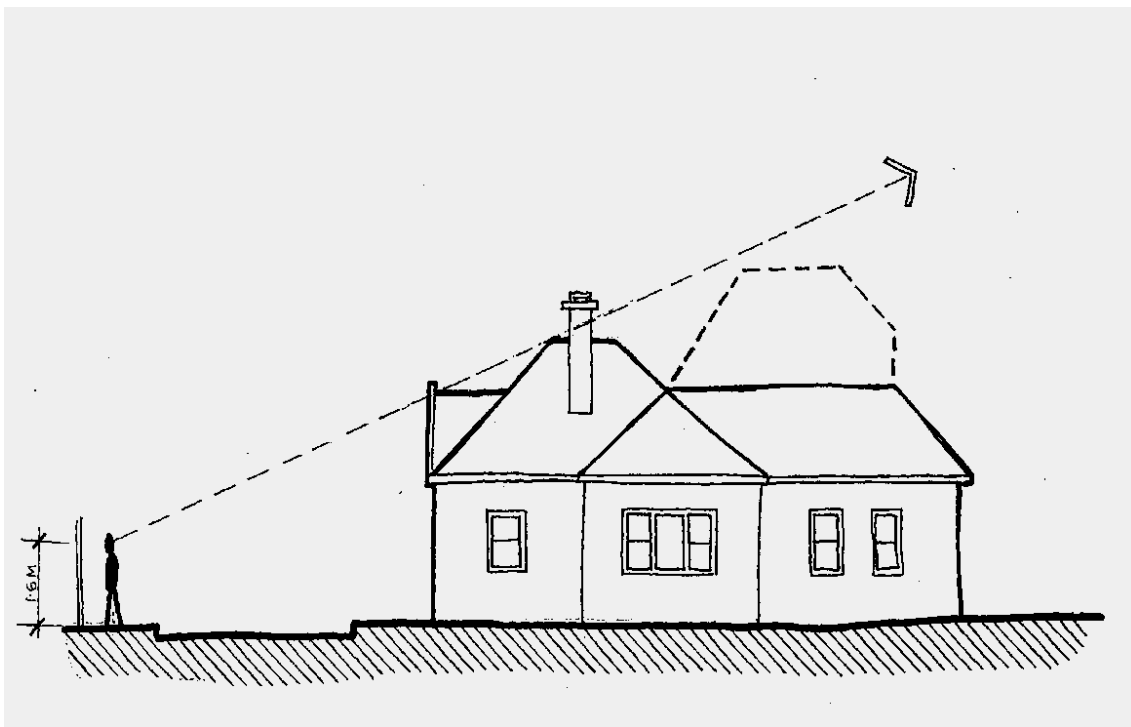


Figure 1: Sight line diagram

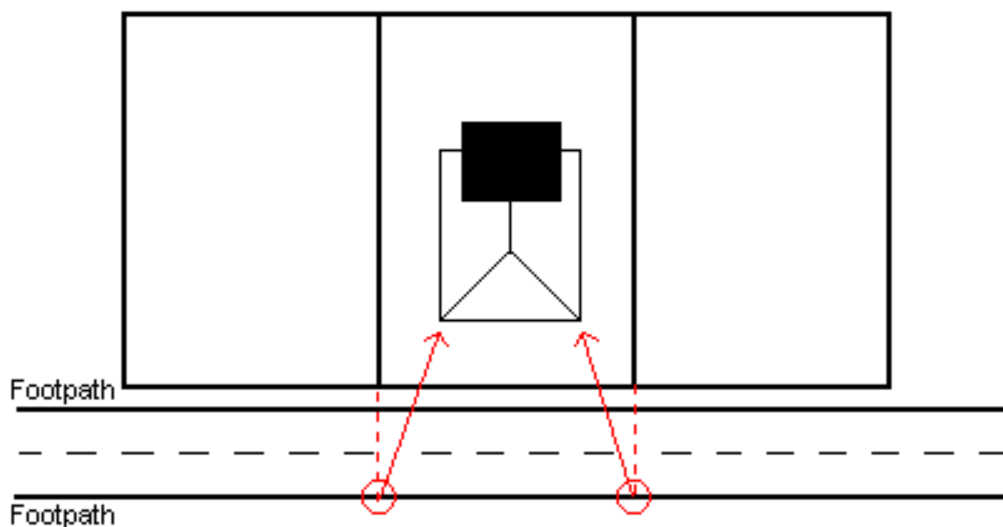


Figure 2: Oblique views diagram

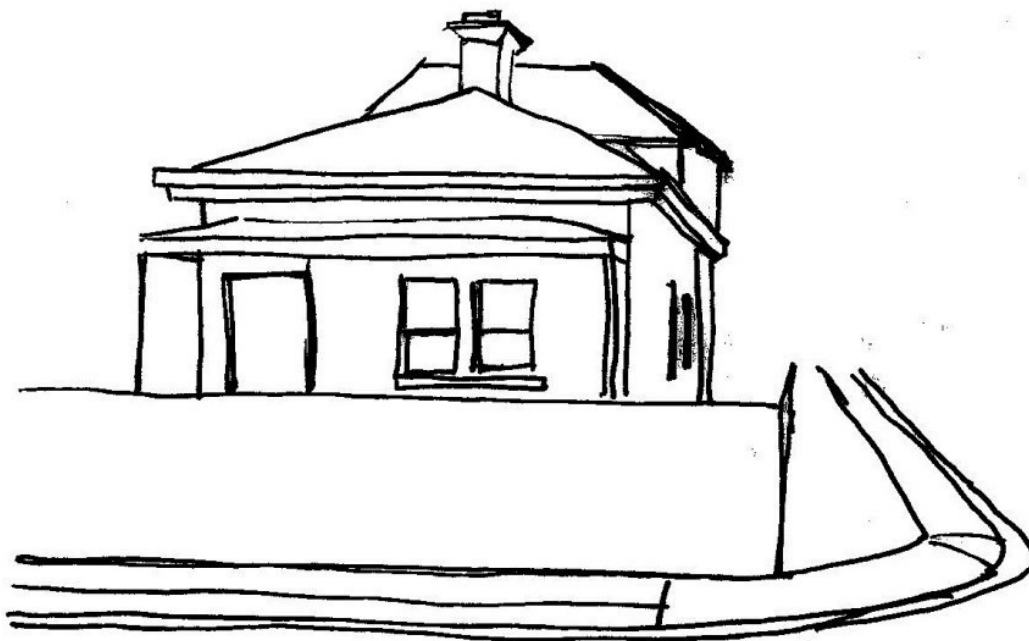


Figure 3: Three dimensional oblique view

Non-contributory heritage places strategies

Support the demolition of ‘non-contributory’ places.

Ensure replacement buildings, development, alterations and additions are sympathetic with heritage fabric of the place, rather than any ‘non-contributory’ elements of the place.

Orient new buildings and additions/alterations to non-contributory places in a similar manner to the siting of adjacent 'significant' or 'contributory' heritage places and to the heritage precinct as a whole.

Position a new building and design its façade height or an addition/alteration to the façade of a non-contributory place so that it does not dominate adjoining 'significant' or 'contributory' heritage places. The façade should neither exceed in height, nor be positioned forward of, the adjoining heritage place(s).

Design new development so that the height of the façade is consistent with the prevailing heights of 'significant' or 'contributory' heritage places in the precinct, especially where the precinct has a consistent façade height.

Avoid front setbacks that are substantially behind prevailing setbacks of 'significant' or 'contributory' heritage places in the heritage precinct, especially where the heritage precinct has a consistent front setback.

Provide side setbacks consistent with the setback of adjacent 'significant' or 'contributory' heritage places.

Design new buildings or additions/alterations so that the height and form respect the height and form of adjacent and surrounding 'significant' or 'contributory' heritage places, as these places are viewed from the street.

Where a heritage precinct or part of a heritage precinct has a consistent building height and form, ensure the height of the new building or addition/alteration is no higher than the roof ridgeline of the adjacent buildings when viewed from the street, but may include a higher, unobtrusive component to the rear.

Where a heritage precinct or part of a heritage precinct has a diverse building height and form, and the site abuts a 'significant' or 'contributory' heritage place, ensure the height and form of the new building or addition/alteration respect both the adjacent 'significant' or 'contributory' heritage places and the prevailing height and form of 'significant' or 'contributory' places in the precinct, but may include a higher, unobtrusive component to the rear.

Where a heritage precinct or part of a heritage precinct has a diverse building height and form, but the site does not abut a 'significant' or 'contributory' heritage place, ensure the height and form respect the prevailing height and form of 'significant' and 'contributory' heritage places in the precinct.

Design roof form and window and door proportions of new buildings and additions/alterations to non-contributory places to be similar to or sit well with the prevailing forms in the heritage precinct.

Design new buildings and additions/alterations to display the following design characteristics:

- Articulate external walls to be complementary to the heritage precinct through their massing and form and the use of materials and finishes.
- Utilise external materials, textures and finishes that complement materials evident in the heritage precinct.

All places - fencing strategies

Retain original or early fences of 'significant' or 'contributory' heritage places.

Encourage the reconstruction of original fences where historical evidence exists of their form, or encourage the construction of new front fences in sympathy to the period and design of the 'significant' or 'contributory' heritage places.

Discourage the construction of high solid fences that block the view of the principal façade (or secondary façade for corner lots) of 'significant' or 'contributory' places from the street.

Design fences for 'non-contributory' places to complement the heritage significance of the precinct, including its height, visual permeability, spacing of elements, materials and finishes.

All places - fencing policy guideline

Consider as relevant:

- Designing fences to be consistent with *The National Trust of Australia (Victoria) Technical Bulletin 8.1 Fences & Gates* (Richard Peterson, 1988).

All places - landscape setting strategies

Retain or restore (where evidence can be found) original hard and soft landscape elements that contribute to the significance of the heritage place.

Design hard and soft landscaping to not detract from the heritage values of the place.

All places - vehicle accommodation, outbuildings and services strategies

Ensure vehicle accommodation and other services do not dominate heritage places.

Minimise new vehicle cross-overs for heritage places with narrow street frontage, where few or no crossovers exist or where rear laneway access is available.

Discourage the widening of vehicle crossovers, or the construction of large areas of paving or other hard surfaces in the front setback where this is not responsive to the heritage place, except in the interests of traffic safety.

Encourage the location of new carports, garages and outbuildings to the rear of the main building (excluding verandahs, porches, bay windows or similar projecting features) except where the character of the heritage place supports the location of carports, garages and outbuildings to the side of the heritage building behind the main front building line.

Encourage any new carports, garages and outbuildings that are visible from the street to use wall openings, roof forms and materials that complement the main building or the characteristics of the heritage precinct.

Discourage the location of swimming pools in the front setback.

Support rain water tanks, hot water systems, air-conditioning units and other equipment in areas visible from the street only where they will not detract from the heritage significance of the place.

Avoid visible roof fixtures, such as solar panels, on the principal visible roof form.

Ensure visible roof fixtures are aligned with the profile of the roof and not mounted on protruding frames.

All places - roads and laneways strategy

Ensure works within and adjacent to roads and laneways maintain the heritage significance of the road or laneway through the use of sympathetic materials and finishes.

All places - commercial buildings strategies

Set upper level additions back from the front façade a sufficient distance to appear as a secondary element of the heritage place.

Encourage the retention, restoration or reconstruction of significant or contributory shopfronts or verandahs and any other feature to the public realm that has been removed.

Support the reinstatement of a timber or cast iron verandah based on historical models, where historical evidence of an early street verandah exists.

Discourage the introduction of architectural features, where it is not known that these features were originally present, with the exception of street verandahs to commercial buildings.

All places - commercial buildings policy guideline

Consider as relevant:

- In cases where no historical evidence of a verandah is available, allowing a simple and understated design incorporating a traditional form and scale.

All places - signage strategies

Ensure new signage on heritage buildings complements the historic character, minimises visual clutter and does not obscure or destroy any architectural features of cultural heritage significance.

Discourage above verandah signs, sky signs, animated signs, reflective signs and electronic signs.

Ensure alterations do not obscure or remove existing signage that is deemed to have heritage value.

All places - signage policy guideline

Consider as relevant:

- Limiting internally illuminated signs to a maximum area of 1.5 square metres.

All places - subdivision strategies

Ensure that the subdivision in and around a heritage place does not adversely affect the cultural heritage significance of the place.

Ensure that the building envelopes proposed for any resulting lots do not adversely affect the cultural heritage significance of the place.

Ensure that the subdivision of heritage places results in a pattern of development that retains the existing pattern of development where such pattern contributes to the significance of the heritage place.

Ensure that appropriate settings and contexts, including gardens and landscaping, for 'significant' or 'contributory' heritage places are maintained.

General policy guidelines

Consider as relevant:

- Not including vegetation and fences as permanent screening when determining if a proposed addition is visible from the street for significant and contributory heritage places.
- Allowing the demolition of a heritage place where the place is structurally unsound and cannot reasonably be rectified. The poor condition of a heritage place should not in itself, be a reason for permitting demolition of a significant or contributory heritage place or part thereof.

Policy documents

Consider as relevant:

- *Assessment of Heritage Precincts in Kew* (City of Boroondara, April 2013)
- *Assessment of the Burwood Road Heritage Precinct, Hawthorn* (City of Boroondara, August 2008, updated March 2012)
- *Auburn Village Heritage Study* (City of Boroondara, 2005)
- *Balwyn Road Residential Precinct, Canterbury: Stage 2 Heritage Precinct Review* (City of Boroondara, August 2006)
- *Boroondara Heritage Property Database*
- *Boroondara Schedule of Gradings Map*
- *Camberwell Conservation Study* (City of Camberwell, 1991)
- *Camberwell Junction Heritage Review* (City of Boroondara, 2008, updated 2013)
- *Canterbury Hill Estate Precinct Citation* (2014)

- *City Of Boroondara Municipal-Wide Heritage Gap Study Volume 1: Canterbury* (Context Pty Ltd, November 2018)
- *City Of Boroondara Municipal-Wide Heritage Gap Study Volume 2: Camberwell* (Context Pty Ltd, December 2018)
- *City of Kew Urban Conservation Study* (City of Kew, 1988)
- *Creswick Estate Precinct Heritage Citation* (2016)
- *Fairmount Park Estate Precinct Heritage Citation* (2016)
- *Grange Avenue Residential Precinct Citation* (August 2014)
- *Hawthorn Heritage Precincts Study* (City of Boroondara, April 2012)
- *Hawthorn Heritage Study* (City of Hawthorn, 1993)
- *Heritage Policy - Statements of Significance* (City of Boroondara, August 2016, or as amended and adopted by Council from time to time)
- *Kew and Hawthorn Further Investigations - Assessment of Specific Sites* (February 2014)
- *Kew Junction Commercial Heritage Study* (September 2013)
- *Review of B-graded Buildings in Kew, Camberwell and Hawthorn* (City of Boroondara, January 2007, updated June 2007 and November 2009) Volumes 1, 2 and 3.
- *Review of C* Grade Buildings in the Former City of Hawthorn* (City of Boroondara, September 2006, updated June 2007 and November 2009) Volumes 1 and 2.
- *Surrey Hills North Residential Precinct Citation* (2014, updated 2014)
- *Surrey Hills and Canterbury Hill Estate Heritage Study* (2014, updated 2016)
- *Technical Bulletin 8.1 Fences & Gates* (National Trust of Australia (Victoria), 1988)
- *Thematic Environmental History* (City of Boroondara, 2012)
- *Union Road Commercial Precinct Citation* (City of Boroondara, 2011)
- *Union Road Residential Precinct Citation* (City of Boroondara, 2011, updated 2014)
- *The National Trust of Australia (Victoria) Technical Bulletin 8.1 Fences & Gates* (Richard Peterson, 1988)

15.03-2S

31/07/2018
VC148

Aboriginal cultural heritage

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*

HOUSING

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

31/07/2018
VC148

RESIDENTIAL DEVELOPMENT

16.01-1S20/12/2021
VC174**Housing supply****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

09/10/2020
VC169

Housing supply - Metropolitan Melbourne

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

26/05/2022
C354boro

Housing - Boroondara

Strategies

Provide housing that protects the preferred neighbourhood character and adjoining residential amenity.

Support increased housing density and diversity at the upper levels above commercial uses in major activity centres, neighbourhood shopping centres, local centres and the Burwood/Camberwell Road Commercial Corridor as identified on the 'Housing Framework Plan' at Clause 02.04.

Facilitate development outcomes in accordance with any adopted structure plan and/or Design and Development Overlay on residential zoned land within commercial centres.

Support increased housing density and diversity that provides a transition from the Commercial 1 Zone to other residential zones in 'Main road apartment precincts' as identified in the Housing Framework Plan at Clause 02.04.

Support moderate change consisting of detached dwellings, villas and townhouses as well as apartment buildings where appropriate along main roads in 'Suburban precincts without a consistent, open back yard' as identified in the Housing Framework Plan at Clause 02.04.

Support moderate change reflecting a mixture of detached dwellings, villas and townhouses as well as apartment buildings in the following precincts identified in the Housing Framework Plan at Clause 02.04:

- Contemporary townhouse / general inner urban.
- Eclectic inner urban / eclectic suburban.

Support moderate change consistent with preferred neighbourhood character in 'Main roads and transport corridors' as identified in the Housing Framework Plan at Clause 02.04.

Support minimal change and protection of preferred neighbourhood character in 'Minimal change' as identified in the Housing Framework Plan at Clause 02.04.

Support development at greater density and height than the surrounding area and precinct, while maintaining amenity and character on 'Super-sized' lots.

Facilitate high density residential development that recognises the commercial context in 'Mixed use areas' as identified in the Housing Framework Plan at Clause 02.04.

Policy guideline

Consider as relevant

- Facilitating development that provides a mix of dwelling types and sizes including 1, 2 and 3+ bedroom dwellings.

16.01-2S

09/10/2020
VC169

Housing affordability

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)

16.01-3S

09/10/2020
VC169

Rural residential development

Objective

To identify land suitable for rural residential development.

Strategies

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

16.01-4S

04/11/2022
VC226

Community care accommodation

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.

16.01-5S09/10/2020
VC169**Residential aged care facilities****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*.

ECONOMIC DEVELOPMENT

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

31/07/2018
VC148

EMPLOYMENT

17.01-1S

31/07/2018
VC148

Diversified economy

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

03/03/2023
VC215

Diversified economy - Metropolitan Melbourne

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.

17.01-1R

03/03/2023
VC215

Diversified economy - Metropolitan Melbourne - Inner South East Metro Region

Protect the Bayside Business District from incompatible land uses and small lot subdivision that would impact future growth and operations.

17.01-2S

04/10/2018
VC149

Innovation and research

Objective

To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.

Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area's public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.

Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.

Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth.

Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Improve access to community-based information and training through further developing libraries as community learning centres.

17.02

31/07/2018
VC148

COMMERCIAL

17.02-1S

15/03/2024
VC256

Business

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.

Regulate the use and development of land for a sex services premises in commercial and mixed use areas in the same way as for other types of shop.

Ensure that planning for the use and development of land for a sex services premises and home based business is consistent with decriminalisation of sex work and provides for the reduction of discrimination against, and harm to, sex workers.

17.02-2S

31/07/2018
VC148

Out-of-centre development

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.

17.02-2L

26/05/2022
C354boro

Out-of-centre use and development

Policy application

This policy applies to an application for commercial use or development on land outside a commercial zone.

Strategies

Minimise out-of-centre use or development that undermines the operation and function of the activity centres network.

Minimise impacts of out-of-centre use or development on use and development in the surrounding area, including potential impacts on local character and amenity.

Support out-of-centre development only if the use cannot be more suitably accommodated in an existing activity centre, neighbourhood centre, commercial corridor or an edge-of-centre location with a functional relationship to an activity centre.

17.03

31/07/2018
VC148

INDUSTRY

17.03-1S14/01/2025
VC237**Industrial land supply****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 non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

Policy documents

Consider as relevant:

- *Separation Distance Guideline* (Environment Protection Authority, August 2024)
- *Landfill Buffer Guideline* (Environment Protection Authority, August 2024)

17.03-2S14/01/2025
VC237**Sustainable industry****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:

- *Separation Distance Guideline* (Environment Protection Authority, August 2024)
- *Landfill Buffer Guideline* (Environment Protection Authority, August 2024)

17.03-3S14/01/2025
VC237**Significant industrial land****Objective**

To protect significant industrial land.

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

14/01/2025
VC237

Regionally significant industrial land - Metropolitan Melbourne

Strategies

Protect industrial land of regional significance and facilitate continual growth in freight, logistics and manufacturing investment.

Support the transition from manufacturing land uses to other employment uses in strategically identified areas well connected to transport networks.

17.03-3R

03/03/2023
VC215

Regionally significant industrial land - Metropolitan Melbourne - Inner South East Metro Region

Strategy

Support the growth and operation of the Bayside Business District by discouraging incompatible and non-business uses and subdivision that would fragment this land and compromise its function.

17.04

31/07/2018
VC148

TOURISM

17.04-1S31/07/2018
VC148**Facilitating tourism****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

31/07/2018
VC148

Tourism in Metropolitan Melbourne

Objective

To maintain and develop Metropolitan Melbourne as a desirable tourist destination.

Strategies

Maintain Metropolitan Melbourne's position as a global, national and local destination in its own right and as a gateway to regional Victoria by:

- Developing city precincts and promenades.
- Revitalising the retail core of the Central City.
- Supporting artistic and cultural life.
- Improving public facilities, amenities and access.
- Maintaining city safety.
- Providing information and leisure services.
- Improving transport infrastructure.

17.04-2S

20/03/2023
VC229

Coastal and maritime tourism and recreation

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)

TRANSPORT

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

09/12/2021
VC204

LAND USE AND TRANSPORT

18.01-1S

09/12/2021
VC204

Land use and transport integration

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)

18.01-2S09/12/2021
VC204**Transport system****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



18.01-3S09/12/2021
VC204**Sustainable and safe transport****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

09/12/2021
VC204

Sustainable and safe transport - Metropolitan Melbourne

Strategies

Improve local travel options for walking and cycling to support 20 minute neighbourhoods.

18.01-3L

26/05/2022
C354boro

Sustainable personal transport - Boroondara

Objectives

To support the creation of pedestrian friendly street environments and urban centres.

To ensure pedestrian and cyclist safety along the arterial road network.

To reduce gaps in the cycling network and remove physical barriers to cycling.

To improve the bicycle network and the provision of end of trip facilities for cyclists.

Strategies

Improve and prioritise the pedestrian environment to support walking trips within key destinations and transport nodes.

Support pedestrian infrastructure and facilities that improve safety and facilitate pedestrian movement.

Support development to make a positive contribution to pedestrian and cycling public realm amenity where development is located adjacent to a Priority Pedestrian Area, a Bicycle Priority Route and the Principal Bicycle Network as identified in the Transport Framework Plan at Clause 02.04.

Ensure development maintains and enhances the safety around tram and bus stops.

Facilitate improvements to the regional cycling network.

Support developments to provide secure and accessible bicycle parking and end-of-trip facilities that meet the needs of users, particularly around train stations, activity centres, community, recreational and educational facilities.

Support development to provide linkages through private land where gaps exist in the cycling network and sites are large enough to accommodate linkages.

Policy documents

Consider as relevant:

- *Balwyn Access Plan* (City of Boroondara, 2013)
- *Boroondara Bicycle Strategy* (Arup, 2008)
- *Boroondara Car Share Policy* (City of Boroondara, 2013)
- *Boroondara Integrated Transport Strategy* (Arup, 2006)
- *Boroondara Road Safety Strategy* (City of Boroondara, 2008)

18.02

31/07/2018
VC148

MOVEMENT NETWORKS

18.02-1S09/12/2021
VC204**Walking****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

09/12/2021
VC204

Cycling

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 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

09/12/2021
VC204

Cycling - Metropolitan Melbourne

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

18.02-3S09/12/2021
VC204**Public transport****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

09/12/2021
VC204

Principal Public Transport Network

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.

18.02-4S

20/03/2023
VC229

Roads

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-01 Road system - Boroondara

26/05/2022
C354boro

Objective

Minimise the impact of land use and development on the safe and efficient function of the road, public transport and bicycle networks for all users.

Strategies

Minimise the creation of new vehicle crossovers to street frontages.

Promote the use of rear laneways as access points to development to reduce the need for new cross overs onto existing roads and streets.

Ensure development provides appropriate mitigation measures to offset impacts of use and development upon transport networks including traffic calming infrastructure such as speed bumps, traffic islands and traffic lights.

Policy documents

Consider as relevant:

- *Balwyn Access Plan* (City of Boroondara, 2013)
- *Balwyn Parking Precinct Plan* (Ratio, 2013)
- *Boroondara Bicycle Strategy* (Arup, 2008)
- *Boroondara Car Share Policy* (City of Boroondara, 2013)
- *Boroondara Integrated Transport Strategy* (Arup, 2006)
- *Boroondara Road Safety Strategy* (City of Boroondara, 2008)
- *Parking Management Policy* (City of Boroondara, 2006)

18.02-4L-02 Car parking - Boroondara

26/05/2022
C354boro

Objectives

To ensure adequate user and visitor car parking is provided with use and development.

Strategies

Support parking reductions in development only where sufficient car parking exists in the area and where there is a choice of transport modes available in the area.

Facilitate measures to improve access to activity centres, health and education facilities and community facilities via alternative transport modes - such as car share, public transport, cycling and walking - to reduce the demand for car parking.

Policy documents

Consider as relevant:

- *Balwyn Access Plan* (City of Boroondara, 2013)
- *Balwyn Parking Precinct Plan* (Ratio, 2013)
- *Boroondara Bicycle Strategy* (Arup, 2008)
- *Boroondara Car Share Policy* (City of Boroondara, 2013)
- *Boroondara Integrated Transport Strategy* (Arup, 2006)
- *Boroondara Road Safety Strategy* (City of Boroondara, 2008)
- *Parking Management Policy* (City of Boroondara, 2006)

18.02-5S

09/12/2021
VC204

Freight

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:

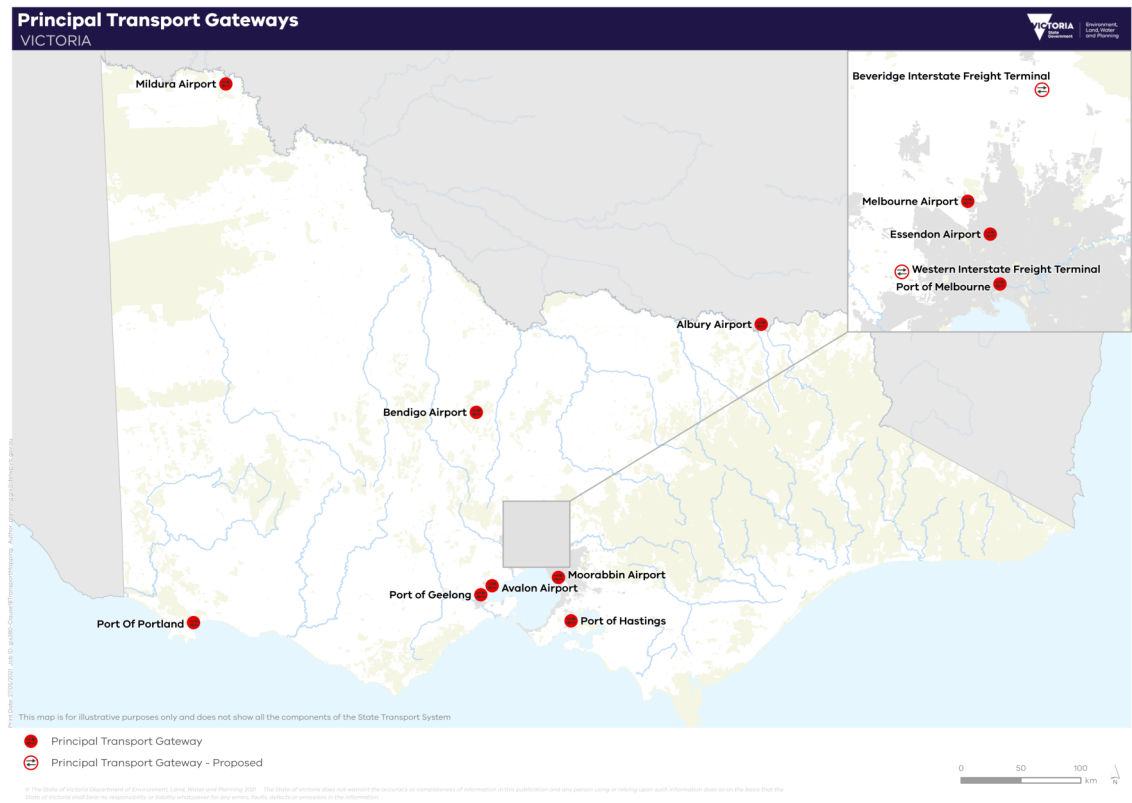
- Allocating land for complementary uses and employment-generating activities, such as distribution and warehousing.
- Reserving and appropriately zoning land for interstate freight terminals to support development that allows for the direct and immediate delivery of goods to market.
- Allocating land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

09/12/2021
VC204

Freight links - Metropolitan Melbourne

Strategy

Ensure suitable sites are provided for intermodal freight terminals at key locations around Metropolitan Melbourne, particularly for the Beveridge Interstate Freight Terminal and the Western Interstate Freight Terminal.

18.02-6S

09/12/2021
VC204

Ports

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

18/05/2022
VC218

Airports and airfields

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

20/03/2023
VC229

Melbourne Airport

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*

INFRASTRUCTURE

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

31/07/2018
VC148

ENERGY

19.01-1S14/08/2023
VC236**Energy supply****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*.

19.01-2S28/10/2022
VC224**Renewable energy****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

31/07/2018
VC148

Renewable energy - Metropolitan Melbourne

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

31/07/2018
VC148

Pipeline infrastructure

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

31/07/2018
VC148

COMMUNITY INFRASTRUCTURE

19.02-1S

31/07/2018
VC148

Health facilities

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

31/07/2018
VC148

Health precincts - Metropolitan Melbourne

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

26/05/2022
C354boro

Health facilities - Boroondara

Objective

To accommodate the future development needs of health facilities, while limiting detrimental impacts on the neighbourhood character and amenity of surrounding residential areas.

Strategies

Encourage health facilities to locate in activity centres.

Avoid health institutions establishing in the Commercial 2 Zone.

Provide health facilities where there are minimal adverse amenity impacts on adjoining residential properties particularly in relation to noise, carparking and access and circulation.

Prepare a masterplan for the overall development of health facilities prior to the further development facilities.

Avoid demolition of existing dwellings for health facilities.

Avoid health facilities opening a new frontage to, or deriving access from, a local road.

Minimise isolating existing residential properties as a result of the expansion of health facilities.

Avoid health facilities encroaching into existing residential areas across a road from the main premises.

Ensure staff and patient numbers of health facilities are only increased if measures to reduce car dependency are implemented in accordance with a Sustainable Transport Plan.

19.02-2S

29/09/2022
VC222

Education facilities

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

31/07/2018
VC148

Education precincts - Metropolitan Melbourne

Strategy

Ensure education precincts are well serviced by community services.

19.02-2L

26/05/2022
C354boro

Education facilities - Boroondara

Objective

To accommodate the future development needs of education facilities, while limiting detrimental impacts on the neighbourhood character and amenity of surrounding residential areas.

Strategies

Encourage education facilities to locate in activity centres.

Avoid educational institutions establishing in the Commercial 2 Zone.

Provide education facilities where there are minimal adverse amenity impacts on adjoining residential properties particularly in relation to noise, car parking and access and circulation.

Prepare a masterplan for the overall development of education facilities prior to the further development of facilities.

Avoid demolition of existing dwellings for education facilities.

Avoid education facilities opening a new frontage to, or deriving access from, a local road.

Minimise isolating existing residential properties as a result of the expansion of education facilities.

Avoid education facilities encroaching into existing residential areas across a road from the main premises.

Ensure teacher and student numbers of education facilities are only increased if measures to reduce car dependency are implemented in accordance with a Sustainable Transport Plan.

Apply the Development Plan Overlay to land prior to an application being made for the use and development of land as an education facility.

19.02-3S

31/07/2018
VC148

Cultural facilities

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

31/07/2018
VC148

Cultural facilities - Metropolitan Melbourne

Strategies

Maintain and strengthen Melbourne's distinctiveness as a leading cultural and sporting city with world-class facilities.

19.02-4S

31/07/2018
VC148

Social and cultural infrastructure

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.

19.02-4L-01 Community facilities

26/05/2022
C354boro

Objectives

To ensure all members of the community have appropriate and equitable access to community facilities.

To encourage multi-functional, rather than single purpose, community facilities.

To manage off-site amenity impacts of community facilities.

Strategies

Support community facilities that are located to maximise multi-purpose trips by users.

Support the sharing of community facilities, including local primary, secondary and tertiary education institutions.

Minimise detrimental impacts from community facilities from carparking, noise, traffic and building design on the amenity of adjoining residential areas.

19.02-4L-02 Sport and recreation facilities

26/05/2022
C354boro

Objective

To ensure a broad range of highly accessible recreation and leisure facilities are provided that meet the needs of the community, while being sensitive to adjoining amenity.

Strategies

Support shared community use of sport and recreation facilities in educational institutions.

Encourage multi-functional facilities that accommodate a broader range of activities.

Minimise the detrimental impact of recreational and leisure uses on residential and other sensitive uses.

Support major recreational and leisure facilities to locate close to commercial/community/public transport networks and/or major open spaces.

Support intensive recreational uses locating in less sensitive areas of open spaces, or having effective mitigation measures applied to reduce amenity impacts.

19.02-5S

31/07/2018
VC148

Emergency services

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

31/07/2018
VC148

Open space

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

14/04/2025
VC281

Open space - Metropolitan Melbourne

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).
- Birrarung (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 Birrarung (Yarra River) Inner City reach, identified in clause 12.03-1R Map 1, 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-01 Open space - Boroondara

26/05/2022
C354boro

Objectives

To manage and design the existing open space network and facilities to ensure open space that meets the increasing demand and needs of the community continues to be provided.

To provide an equitable distribution of open space, with an emphasis on filling gaps in the open space network.

To manage the impacts of urban heat island effect on open space provision and design.

Strategies

Support land being set aside for the provision of public open space, particularly in gap areas identified in the Public Open Space Gap Areas map forming part of this clause.

Provide and design facilities to allow broader usage of open space, including structured and unstructured use, as appropriate.

Facilitate an increased presence of natural features in open space including large, broad spreading canopy trees, moisture absorbing surfaces and the sustainable capture and reuse of water.

Policy document

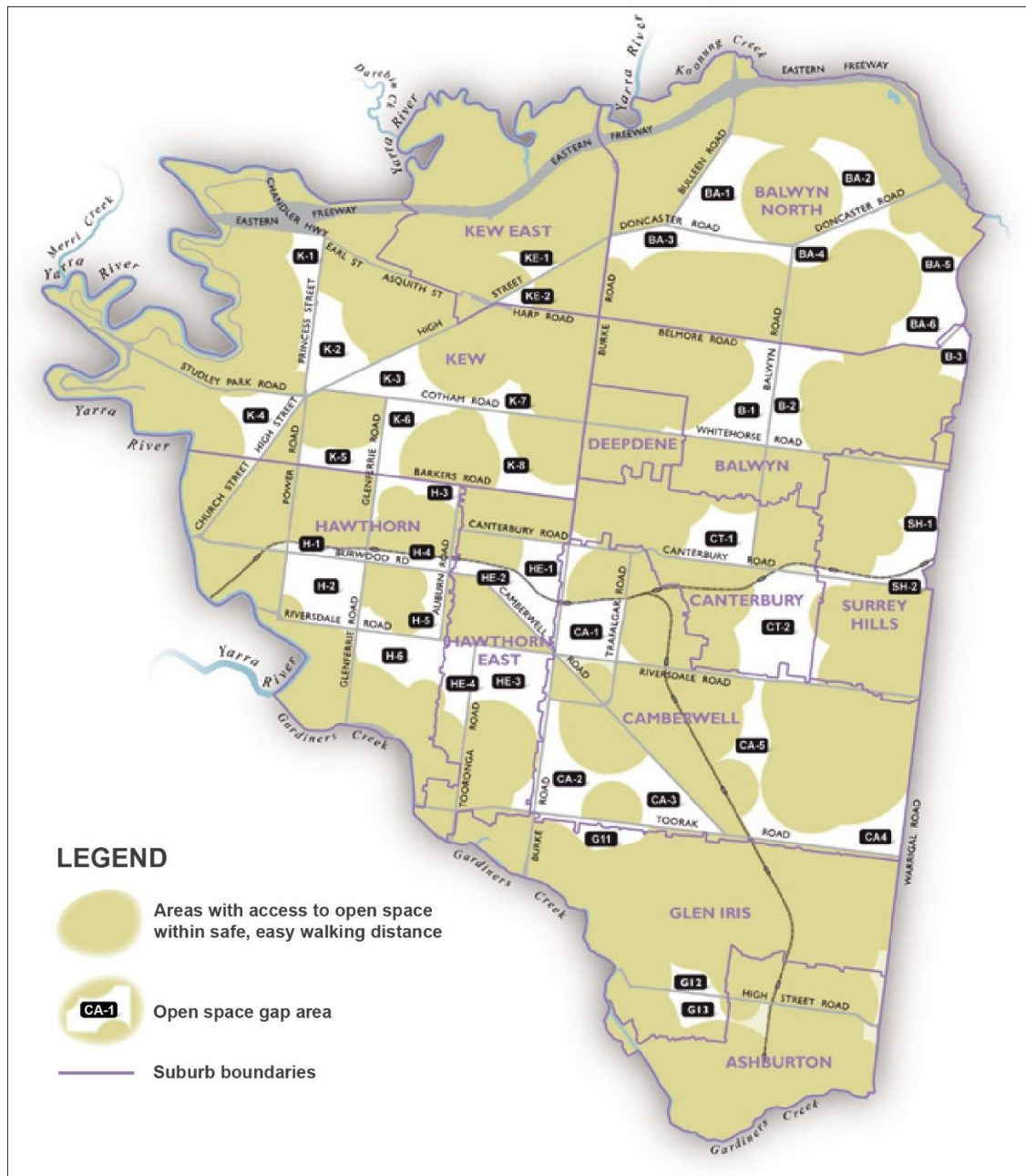
Consider as relevant:

- *Boroondara Open Space Strategy* (City of Boroondara, 2013)

BOROONDARA PLANNING SCHEME

Policy map

Public open space gap areas



Source: Boroondara Open Space Strategy; p. 6 (amended)

19.02-6L-02 Open space contributions - Boroondara26/05/2022
C354boro**Policy application**

This policy applies to all development and applications for subdivision that will make a public open space contribution.

Objectives

To identify when and where land contributions for public open space will be sought over cash contributions.

To ensure that land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council, to satisfy the public open space contribution requirement.

Strategies

Prefer land contributions for public open space over cash contributions within the areas identified in Open space sub-precincts Map forming part of this clause.

Support land contributions that meet the criteria for suitability of land for open space as set out in the table below.

Levy new subdivision contributions on a fair and equitable basis.

Policy guidelines

Consider as relevant:

- Applying a 5 per cent cash or land contribution on all non-exempt subdivisions under the Subdivision Act 1988 except where:
 - The existing physical characteristics of the site (including any open space) to be retained are capable of meeting the new population's open space needs.
 - The intensity of the proposed development is less than surrounding development.
 - The additional population and their anticipated demographics will not result in increased demand for open space.
- Prioritising the provision of open space in existing areas that are identified to be deficient in open space, including in areas:
 - Identified as gap areas in the Open space sub-precincts Map.
 - Where access to open space is beyond the following specified safe and accessible walking distances:

Open Space Hierarchy	Walking distance
Regional open space	500m
Municipal open space	500m
Neighbourhood open space	500m
Local open space	300m

- – Where access to open space requires the crossing of major roads or railways.

BOROONDARA PLANNING SCHEME

- Where there is no other ancillary open space (other than streets) available to the public as an alternative to public open space (e.g. public school grounds).
 - Where there is no accessible open space in adjoining municipalities within the specified walking distance.
- Supporting land contributions in areas identified in the Open space sub-precincts Map, if the following criteria are met:

Criteria	
Accessibility	The site has physical access into the site (including the inherent topography) at ground level (not elevated as part of a building) and there is the ability to make the site safe and accessible to people with limited mobility.
Adjoining land use (compatibility)	The site adjoins land with a positive influence that contributes to the recreational, ecological, social and cultural value of the open space. The site does not require private appropriation of public open space. The site is not subject to excessive traffic, noise, light spill or overshadowing.
Amenity	The site has visual and passive amenity values that increase the liveability of neighbourhoods. The site provides visual relief from built form. The site provides a break from noise levels associated with traffic and other urban land use activities and adequate levels of sunlight (a minimum of 3 hours of direct sunlight between 9am and 3pm during mid-winter and at least 5 hours of direct sunlight between 9am and 3pm on September 22).
Condition	The site will not have significant financial or safety implications for Council if the land becomes public open space (e.g. contamination or weed infestation).
Ecological	The site has existing biodiversity values and can make a positive contribution to climate change adaptation. This includes the protection and enhancement of biodiversity values along with a site's contribution to existing or future habitat corridors, protection of mature canopy trees and other protection or construction of other natural features that may contribute to urban heat mitigation.
Equity	The site will be accessible for the Boroondara community.
Financial	The cost to Council in obtaining, improving, managing and maintaining the land as open space will not be excessive.
Heritage character	The site has indigenous and non-indigenous values that could be enhanced and protected in the open space including natural features such as large canopy trees. These values will also influence the future use and design of the open space.
Landscape character	The site makes a positive contribution to the character and attractiveness of the neighbourhood.
Location/Linkages	The site can contribute to the wider open space network including forming open space corridor links. This includes consideration of the other strategic planning projects in Council for forecast expansion of the population, and where it is appropriate, to provide connections.
Ongoing maintenance and management	The ongoing management and maintenance of the land can be adequately resourced by Council.
Recreation	The site is capable of accommodating a range of organised, unstructured and informal recreational uses (e.g. organised sports, play, sitting, walking, jogging, cycling exercising, informal games, picnicking and dog walking).
Services/Easements	The site is unencumbered by services and easements that would affect the development and use of the land as open space including water supply, power supply, roadways, overhead structures, flood mitigation and drainage.
Size	The site is large enough to meet its intended purpose, on its own or in combination with adjoining land:

Criteria	
	- Regional open space, unlimited. - Municipal open space, minimum three hectares. - Neighbourhood open space, minimum one hectare. - Local open space, minimum 0.26 hectare (up to 0.99 hectare). - Small Local open space, minimum 0.03 hectares (up to 0.25 hectare), with a minimum width of 10 metres in at least one direction. - Small Local Link space, with a minimum width of 5 metres.
Transport	The site is easily accessible for residents by a range of transport options such as public transport, linear shared trails, path links and major roads.
Visibility	The site maximises its use and contribution to the broader community. Generally, land is preferred which has at least two access points and local roads to two sides.

- Designing a building on land required for public open space in a manner that meets the selection criteria for public open space.

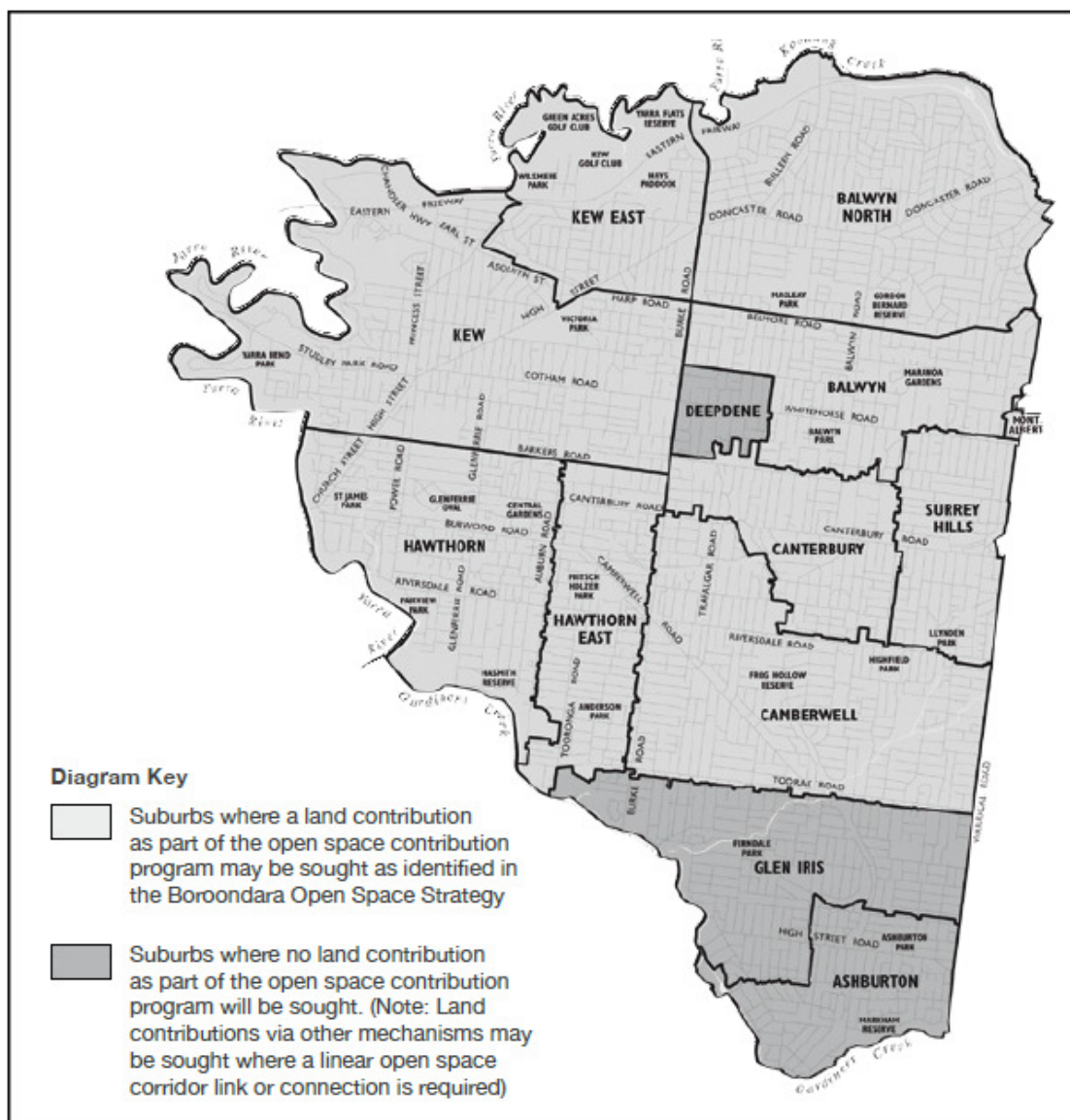
Policy document

Consider as relevant:

- Boroondara Open Space Strategy* (City of Boroondara, 2013)

Policy map

Open space sub-precincts



19.03

31/07/2018
VC148

DEVELOPMENT INFRASTRUCTURE

19.03-1S

24/01/2020
VC160

Development and infrastructure contributions plans

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

09/10/2020
VC169

Infrastructure design and provision

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

26/05/2022
C354boro

Infrastructure design and provision - Boroondara

Objective

To provide and upgrade physical infrastructure (including telecommunications infrastructure) to meet the needs of development while minimising detrimental impacts on local amenity.

Strategies

Ensure developments contribute to the cost of upgrading infrastructure to accommodate increased demand.

Provide infrastructure capable of accommodating increased demand and able to be integrated into wider networks as part of development.

Minimise the visual impact of infrastructure on the environment.

Locate telecommunications cabling underground.

19.03-3S

22/11/2024
VC263

Integrated water management

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 Special Water Supply Catchment Areas* (Department of Energy, Environment and Climate Action, 2024)
- *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)

19.03-3L26/05/2022
C354boro**Integrated water management****Objective**

To manage stormwater flow and quality before it enters waterways.

Strategies

Support inclusion of water harvesting and reuse measures within the planning and design stages of development.

Design development to increase local water harvesting through the use of rainwater tanks (plumbed for internal use) and greywater irrigation systems.

Support the conservation of potable ‘drinking’ water through water-wise landscaping.

Support on-site stormwater retention to restrict the rate of stormwater flow to the existing stormwater drainage network.

Support use of water sensitive urban design solutions within development such as:

- Constructed wetlands and raingardens.
- Use of permeable landscaping options (e.g. permeable paving, gravel, mulch) in preference to impervious treatments.
- Litter and erosion prevention and diversion of waste liquids from stormwater.

Facilitate precinct wide water management and recycling systems, where appropriate.

Minimise the extent of sealed surfaces in development.

Policy document

Consider as relevant:

- *Integrated Water Management Strategy 2014-2024* (City of Boroondara, 2014)

19.03-4S

04/11/2022
VC226

Telecommunications

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

26/10/2018
VC154

Telecommunications - Metropolitan Melbourne

Strategy

Support the provision of high-quality telecommunications infrastructure in Melbourne's employment, urban renewal and growth areas through early planning for fibre-ready facilities and wireless infrastructure.

19.03-5S

14/01/2025
VC237

Waste and resource recovery

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 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 documents

Consider as relevant:

- *Victorian Recycling Infrastructure Plan* (Department of Energy, Environment and Climate Action, October 2024)
- *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)
- *Separation Distance Guideline* (Environment Protection Authority, August 2024)
- *Landfill Buffer Guideline* (Environment Protection Authority, August 2024)
- *Waste Management and Recycling in Multi-unit Developments. Better Practice Guide* (Sustainability Victoria, 2019)
- *Recycling Victoria A New Economy* (DELWP, February 2020)

ZONES

This section sets out the zones which apply in this scheme.

31

31/07/2018
VC148

[NO CONTENT]

RESIDENTIAL ZONES

32.0431/07/2018
VC148**MIXED USE ZONE**

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.

32.04-115/07/2013
VC100**Objectives**

A schedule to this zone may contain objectives to be achieved for the area.

32.04-214/01/2025
VC237**Table of uses****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.
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.

BOROONDARA PLANNING SCHEME

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.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
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, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
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.

Use	Condition
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
Animal production (other than Grazing animal production)
Extractive industry
Materials recycling
Small second dwelling – if the Section 1 condition is not met
Transfer station (other than Automated collection point and Container deposit scheme centre)

32.04-3

31/07/2018
VC148

Use for industry, service station and warehouse

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

14/12/2023
VC253

Subdivision

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.

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.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

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

22/09/2023
VC243

Construction and extension of one dwelling on a lot

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

14/12/2023
VC253

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

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 small second dwelling on a lot less than 300 square metres if the development meets the requirements in the following standards of Clause 54:	Clause 59.14

Class of application	Information requirements and decision guidelines
▪ A3 Street setback. ▪ A9 Building setback. ▪ A9.1 Safety and accessibility. ▪ A10 Side and rear setbacks. ▪ A11 Walls on boundaries. ▪ A12 Daylight to existing windows. ▪ A13 North-facing windows. ▪ A14 Overshadowing open space. ▪ A15 Overlooking. For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory. If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.	

32.04-7
31/03/2025
VC267

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

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 55.02-8.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A development of four storeys, excluding a basement, must meet the requirements of Clause 57.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

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.

Clause 55 of this planning scheme, as in force immediately before the approval date of Amendment VC267, 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.

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

32.04-8

31/03/2025
VC267

Requirements of Clause 54 and Clause 55

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 B2-1, B2-5, B2-8 and B3-5 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.

32.04-9

14/12/2023
VC253

Residential aged care facility

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.

32.04-10

14/12/2023
VC253

Buildings and works associated with a Section 2 use

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

32.04-11

02/04/2025
VC276

Buildings on lots that abut another residential zone

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 55.02-3, 55.02-4, 55.04-1, 55.04-3, 55.04-4 and 55.05-2 along that boundary.

This does not apply to a building or works for a residential aged care facility.

32.04-12

14/12/2023
VC253

Maximum building height requirement

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.

32.04-13

14/01/2025
VC237

Application requirements

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 2022 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.

32.04-14

31/03/2025
VC267

Exemption from notice and review

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.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

An application under clause 32.04-7 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 all the applicable standards under clause 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.

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.

32.04-15

31/03/2025
VC267

Decision guidelines

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 Housing Choice and Transport Zone, 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 and a small second dwelling

- The applicable 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 of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of Clause 55.
- For two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 57.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

32.04-16

14/12/2023
VC253

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

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

BOROONDARA MIXED USE AREAS

1.0

28/07/2022
C313boro

Objectives

None specified.

2.0

02/04/2025
VC276

Clause 54 and Clause 55 requirements

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

3.0

28/07/2022
C313boro

Maximum building height requirement

None specified.

4.0

28/07/2022
C313boro

Exemption from notice and review

None specified.

5.0

28/07/2022
C313boro

Application requirements

None specified.

6.0

28/07/2022
C313boro

Decision guidelines

None specified.

7.0

28/07/2022
C313boro

Signs

None specified.

32.0731/07/2018
VC148**RESIDENTIAL GROWTH ZONE**

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.

32.07-127/03/2017
VC110**Design objectives**

A schedule to this zone must contain the design objectives to be achieved for the area.

32.07-214/01/2025
VC237**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.
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.
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.

BOROONDARA PLANNING SCHEME

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.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
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, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
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	

BOROONDARA PLANNING SCHEME

Use	Condition
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.
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

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Bottle shop
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Saleyard
Small second dwelling – if the Section 1 condition is not met
Transport terminal
Warehouse (other than Store)

32.07-314/12/2023
VC253**Subdivision****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.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

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

32.07-4

22/09/2023
VC243

Construction and extension of one dwelling on a lot

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. ▪ 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

32.07-5

14/12/2023
VC253

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

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 small second 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. ▪ A9 Building setback. ▪ A9.1 Safety and accessibility. ▪ A10 Side and rear setbacks. ▪ A11 Walls on boundaries. ▪ A12 Daylight to existing windows. ▪ A13 North-facing windows.	Clause 59.14

Class of application**Information requirements and decision guidelines**

- 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.

32.07-6

31/03/2025
VC267

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**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 55.02-8.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A development of four storeys, excluding a basement, must meet the requirements of Clause 57.

An apartment development of five or more storeys, excluding a basement, 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 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.

Clause 55 of this planning scheme, as in force immediately before the approval date of Amendment VC267, 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.

32.07-7

31/03/2025
VC267

Requirements of Clause 54 and Clause 55

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 B2-1, B2-5, B2-8 and B3-5 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.

32.07-8

14/12/2023
VC253

Residential aged care facility

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.

32.07-9

14/12/2023
VC253

Buildings and works associated with a Section 2 use

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:	Clause 59.04

Class of application	Information requirements and decision guidelines
▪ 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.	

32.07-10

31/03/2025
VC267

Maximum building height requirement for a dwelling, small second dwelling or residential building

A building must not be constructed for use as a dwelling, small second 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 Clause 54.03-2, Clause 55.02-2 and Clause 57.02-2.

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.

32.07-11

31/03/2025
VC267

Buildings on lots that abut another residential zone

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 55.02-3, 55.02-4, 55.04-1, 55.04-3, 55.04-4 and 55.05-2 along that boundary.

32.07-12

31/03/2025
VC267

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a development of one dwelling on a lot or a small second dwelling on a lot, the neighbourhood and site description and design response as required in Clause 54.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the site description and design response as required in Clause 55.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the site description and design response as required in Clause 57.
- 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.

32.07-13

31/03/2025
VC267

Exemption from notice and review

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.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

An application under clause 32.07-6 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 all the applicable standards under clause 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.

32.07-14

31/03/2025
VC267

Decision guidelines

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 Housing Choice and Transport Zone, 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, small second 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 and a small second dwelling, the applicable 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 of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of Clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 57.
- 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.

32.07-15

14/12/2023
VC253

Signs

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

28/07/2022
C313boro

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

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

MAIN ROAD APARTMENT PRECINCTS

1.0

28/07/2022
C313boro

Design objectives

None specified.

2.0

02/04/2025
VC276

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

3.0

26/04/2024
VC252

Maximum building height requirement for a dwelling, small second dwelling or residential building

None specified.

4.0

28/07/2022
C313boro

Application requirements

The following application requirements apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the *Boroondara Neighbourhood Character Study Precinct Statements* that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.

- Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

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.

5.0

28/07/2022
C313boro

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements 2013*.

28/09/2023
C376boro

SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ2**.

442-450 AUBURN ROAD AND 9 BILLS STREET, HAWTHORN

1.0

28/09/2023
C376boro

Design objectives

None specified

2.0

02/04/2025
VC276

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

3.0

26/04/2024
VC252

Maximum building height requirement for a dwelling, small second dwelling or residential building

A building used as a dwelling, small second dwelling or residential building must not exceed a maximum building height of 27 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 height of the building must not exceed 28 metres.

4.0

28/09/2023
C376boro

Application requirements

None specified

5.0

28/09/2023
C376boro

Decision guidelines

None specified

32.0831/03/2025
VC267**GENERAL RESIDENTIAL ZONE**

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 is responsive to 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.

32.08-127/03/2017
VC110**Neighbourhood character objectives**

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

32.08-214/01/2025
VC237**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.
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.
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.

BOROONDARA PLANNING SCHEME

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.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
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, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
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	

BOROONDARA PLANNING SCHEME

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
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
Small second dwelling – if the Section 1 condition is not met
Transport terminal
Warehouse (other than Store)

32.08-3

14/12/2023
VC253

Subdivision

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.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

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

32.08-4
14/12/2023
VC253

Construction or extension of a dwelling, small second dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling, small second 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, small second 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, small second 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

14/12/2023
VC253

Construction and extension of one dwelling on a lot

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 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.	Clause 59.14

Class of application	Information requirements and decision guidelines
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.	
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

14/12/2023
VC253

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

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 small second 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. ▪ A9 Building setback. ▪ A9.1 Safety and accessibility. ▪ 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

32.08-731/03/2025
VC267**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings****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 55.02-8.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A development of four storeys, excluding a basement, must meet the requirements of Clause 57.

An apartment development of five or more storeys, excluding a basement, 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 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.

Clause 55 of this planning scheme, as in force immediately before the approval date of Amendment VC267, 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.

32.08-8

31/03/2025
VC267

Requirements of Clause 54 and Clause 55

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 B2-1, B2-5, B2-8 and B3-5 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.

32.08-9

14/12/2023
VC253

Residential aged care facility

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.

32.08-10

14/12/2023
VC253

Buildings and works associated with a Section 2 use

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.	Clause 59.04

Class of application	Information requirements and decision guidelines
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- 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.

32.08-11

14/12/2023
VC253

Maximum building height requirement for a dwelling, small second dwelling or residential building

A building must not be constructed for use as a dwelling, small second 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.

32.08-12

31/03/2025
VC267

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a development of one dwelling on a lot or a small second dwelling on a lot, the neighbourhood and site description and design response as required in Clause 54.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the site description and design response as required in Clause 55.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the site description and design response as required in Clause 57.
- 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.

32.08-13

31/03/2025
VC267

Exemption from notice and review

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.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

An application under clause 32.08-7 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 all the applicable standards under clause 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.

32.08-1431/03/2025
VC267**Decision guidelines**

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, Housing Choice and Transport 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, small second dwellings and residential buildings

- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable 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 of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of Clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 57.
- 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.

32.08-1514/12/2023
VC253**Signs**

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

32.08-1614/12/2023
VC253**Transitional provisions**

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.

23/12/2020
GC172**SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ1**.**GENERAL SUBURBAN 3 AND 4 - SUBURBAN PRECINCTS WITHOUT A CONSISTENT, OPEN BACKYARD CHARACTER****1.0**23/12/2020
GC172**Neighbourhood character objectives**

None specified

2.026/04/2024
VC252**Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement**

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?

No

3.002/04/2025
VC276**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

4.026/04/2024
VC252**Maximum building height requirement for a dwelling, small second dwelling or residential building**

None specified

5.026/04/2024
VC252**Application requirements**

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the *Boroondara Neighbourhood Character Study Precinct Statements* that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.

- How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

6.0

26/04/2024
VC252

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements 2013*.

23/12/2020
GC172**SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ2**.**CONTEMPORARY TOWN HOUSE AND GENERAL INNER URBAN PRECINCTS****1.0**23/12/2020
GC172**Neighbourhood character objectives**

None specified

2.026/04/2024
VC252**Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement**

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?

No

3.002/04/2025
VC276**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

4.026/04/2024
VC252**Maximum building height requirement for a dwelling, small second dwelling or residential building**

None specified

5.026/04/2024
VC252**Application requirements**

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the *Boroondara Neighbourhood Character Study Precinct Statements* that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.
- How the development responds to the design guidelines contained in the relevant precinct statement.

- How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

6.0

26/04/2024
VC252

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements 2013*.

23/12/2020
GC172**SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ3**.**ECLECTIC INNER URBAN AND ECLECTIC SUBURBAN PRECINCTS****1.0**23/12/2020
GC172**Neighbourhood character objectives**

None specified

2.026/04/2024
VC252**Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement**

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?

No

3.002/04/2025
VC276**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

4.026/04/2024
VC252**Maximum building height requirement for a dwelling, small second dwelling or residential building**

None specified

5.026/04/2024
VC252**Application requirements**

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the Boroondara Neighbourhood Character Study Precinct Statements that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.

- How the development responds to the design guidelines contained in the relevant precinct statement.
- How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

6.0

26/04/2024
VC252

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements 2013*.

28/07/2022
C313boro**SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ4**.**SUPER-SIZED LOTS****1.0**28/07/2022
C313boro**Neighbourhood character objectives**

None specified.

2.026/04/2024
VC252**Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement**

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?

No

3.002/04/2025
VC276**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

4.026/04/2024
VC252**Maximum building height requirement for a dwelling, small second dwelling or residential building**

None specified.

5.026/04/2024
VC252**Application requirements**

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the *Boroondara Neighbourhood Character Study Precinct Statements* that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.

- How the development responds to the design guidelines contained in the relevant precinct statement.
- How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

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.

6.0

26/04/2024
VC252

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements 2013*.

28/07/2022
C313boro

SCHEDULE 5 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ5**.

MAIN ROADS

1.0

28/07/2022
C313boro

Neighbourhood character objectives

None specified.

2.0

26/04/2024
VC252

Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?

No

3.0

02/04/2025
VC276

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

4.0

26/04/2024
VC252

Maximum building height requirement for a dwelling, small second dwelling or residential building

None specified.

5.0

26/04/2024
VC252

Application requirements

The following application requirements apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the *Boroondara Neighbourhood Character Precinct Statements 2013 (or as amended and adopted by Council from time to time)* that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.

- How the development responds to the design guidelines contained in the relevant precinct statement.
- How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

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.

6.0

26/04/2024
VC252

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Precinct Statements 2013 (or as amended and adopted by Council from time to time)*.

32.0931/03/2025
VC267**NEIGHBOURHOOD RESIDENTIAL ZONE**

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 is responsive to 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.

32.09-127/03/2017
VC110**Neighbourhood character objectives**

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

32.09-214/01/2025
VC237**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.
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.
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.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.

BOROONDARA PLANNING SCHEME

Use	Condition
	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.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
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, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
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	

Use	Condition
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.
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

Use
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Saleyard
Small second dwelling - if the Section 1 condition is not met
Transport terminal
Warehouse (other than Store)

32.09-3

14/12/2023
VC253

Subdivision

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.

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.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

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
14/12/2023
VC253

Construction or extension of a dwelling, small second dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling, small second 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, small second 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

14/12/2023
VC253

Construction and extension of one dwelling on a lot

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 requirements in the following standards of Clause 54:	Clause 59.14
▪ 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.	

Class of application	Information requirements and decision guidelines
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.	
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
14/12/2023
VC253

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

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 small second 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. ▪ A9 Building setback. ▪ A9.1 Safety and accessibility. ▪ 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.	

32.09-731/03/2025
VC267**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings****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 55.02-8.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A development of four storeys, excluding a basement, must meet the requirements of Clause 57.

An apartment development of five or more storeys, excluding a basement, 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 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.

Clause 55 of this planning scheme, as in force immediately before the approval date of Amendment VC267, 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.

32.09-8

31/03/2025
VC267

Requirements of Clause 54 and Clause 55

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 B2-1, B2-5, B2-8 and B3-5 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.

32.09-9

15/03/2024
VC256

Residential aged care facility

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.

32.09-10

14/12/2023
VC253

Buildings and works associated with a Section 2 use

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:	Clause 59.04
▪ 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.	

Class of application

**Information
requirements and
decision
guidelines**

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.

32.09-11

14/12/2023
VC253

Maximum building height requirement for a dwelling, small second dwelling or residential building

A building must not be constructed for use as a dwelling, small second 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.

32.09-12

31/03/2025
VC267

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a development of one dwelling on a lot or a small second dwelling on a lot, the neighbourhood and site description and design response as required in Clause 54.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the site description and design response as required in Clause 55.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the site description and design response as required in Clause 57.
- 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, 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.

32.09-13

31/03/2025
VC267

Exemption from notice and review

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.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

An application under clause 32.09-7 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 all the applicable standards under clause 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.

32.09-14

31/03/2025
VC267

Decision guidelines

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, Housing Choice and Transport 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, small second dwellings and residential buildings

- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable 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 of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of Clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 57.
- 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

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.

32.09-15

14/12/2023
VC253

Signs

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

32.09-1614/12/2023
VC253**Transitional provisions**

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.

23/12/2020
GC172**SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE**Shown on the planning scheme map as **NRZ1**.**GENERAL SUBURBAN 3 AND 4 - SUBURBAN PRECINCTS WITHOUT A CONSISTENT, OPEN BACKYARD CHARACTER****1.0**23/12/2020
GC172**Neighbourhood character objectives**

None specified

2.023/12/2020
GC172**Minimum subdivision area**

None specified

3.002/04/2025
VC276**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

4.026/04/2024
VC252**Maximum building height requirement for a dwelling, small second dwelling or residential building**

None specified

5.026/04/2024
VC252**Application requirements**

The following application requirements apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the *Boroondara Neighbourhood Character Study Precinct Statements* that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.
 - How the development responds to the design guidelines contained in the relevant precinct statement.
 - How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:

- Responds to the landscape characteristics of the relevant precinct.
- Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
- Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

6.0

26/04/2024
VC252

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Study Precinct Statements 2013*.

26/10/2017
C229**SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE**Shown on the planning scheme map as **NRZ3**.**LOW SCALE, LOW DENSITY RESIDENTIAL AREAS****1.0**26/10/2017
C229**Neighbourhood character objectives**

To maintain the detached, one to two storey scale and spacious, suburban character of the area.

To protect and enhance the area's 'leafy' feel and the garden setting of dwellings.

To maintain the fine grain rhythm of streetscapes and to enhance the landscape character of the area.

2.026/10/2017
C229**Minimum subdivision area**

None specified.

3.002/04/2025
VC276**Requirements of Clause 54 and Clause 55**

	Standard	Requirement
Minimum street setback	A3	None specified
	B2-1	None specified
Site coverage	A5	None specified
	B2-5	None specified
Permeability	A6	None specified
Side and rear setbacks	A10	None specified
Walls on boundaries	A11	None specified
Private open space	A17	None specified
	B3-5	None specified
Front fence height	A20 and B2-8	None specified

4.026/04/2024
VC252**Maximum building height requirement for a dwelling, small second dwelling or residential building**

None specified.

5.026/04/2024
VC252**Application requirements**

The following application requirements apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment against the *Boroondara Neighbourhood Character Precinct Statements 2013 (or as amended and adopted by Council from time to time)* that demonstrates:
 - How the development responds to the preferred character statement in the relevant precinct statement.

- How the development responds to the design guidelines contained in the relevant precinct statement.
- How the development positively contributes to achieving the preferred character statement for the relevant precinct.
- A landscape plan which:
 - Responds to the landscape characteristics of the relevant precinct.
 - Identifies, retains and protects significant vegetation that contributes to the character of the precinct.
 - Proposes new canopy trees and other vegetation that will enhance the prevailing landscape characteristic of the precinct.

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.

6.0

26/04/2024
VC252

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The preferred character statement and design guidelines contained in the *Boroondara Neighbourhood Character Precinct Statements 2013 (or as amended and adopted by Council from time to time)*.

32.1025/02/2025
VC257**HOUSING CHOICE AND TRANSPORT ZONE**

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

Purpose

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

To provide housing at increased densities around activity centres and well-serviced locations, close to employment, services and public transport.

To encourage a scale of development that provides a transition between more intense development to lower-scale residential areas.

To encourage a diversity of housing types and affordable housing.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.10-125/02/2025
VC257**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.
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.
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.
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.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
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, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
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 or land in the Activity Centre Zone that is used for commercial purposes. The land must have the same street frontage as the land in the commercial zone or the land in the Activity Centre Zone that is used for commercial purposes. The leasable floor area must not exceed 250 square metres.
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:

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.
Shop (other than Adult sex product shop, Bottle shop and Convenience shop)	The land must be located within 100 metres of a commercial zone, Mixed Use Zone or land in the Activity Centre Zone that is used for commercial purposes. The land must have the same street frontage as the land in the commercial zone, Mixed Use Zone or land in the Activity Centre Zone that is used for commercial purposes.
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
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Saleyard
Small second dwelling – if the Section 1 condition is not met
Transport terminal
Warehouse (other than Store)

32.10-2

25/02/2025
VC257

Subdivision

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.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

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

32.10-3

25/02/2025
VC257

Construction and extension of one dwelling on a lot

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 requirement

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 purpose of this class of VicSmart application, the Clause 54 standards specified above are mandatory.	Clause 59.14

32.10-4

25/02/2025
VC257

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

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 small second 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. ▪ A9 Building setback.	Clause 59.14

Class of application	Information requirements and decision guidelines
- A9.1 Safety and accessibility. - 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 purpose of this class of Vic Smart application, the Clause 54 standards specified above are mandatory.	

32.10-5

31/03/2025
VC267

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

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 55.02-8.

A development must meet the requirements of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.

A development of four storeys, excluding a basement, must meet the requirements of Clause 57.

An apartment development of five or more storeys, excluding a basement, 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 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

32.10-6

25/02/2025
VC257

Residential aged care facility

Permit requirement

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.

32.10-7

25/02/2025
VC257

Buildings and work associated with a Section 2 use

Permit requirement

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.10-2.

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.	Clause 59.04

32.10-8

25/02/2025
VC257

Maximum building height requirement for a dwelling, small second dwelling or a residential building

A building must not be constructed on land specified in Column 1 of the Table to this clause for use as a dwelling, small second dwelling or a residential building that:

- exceeds the applicable maximum building height specified in Column 2 of the Table corresponding to that land; or
- contains more than the applicable maximum number of storeys specified in Column 3 of the Table corresponding to that land.

In the Table to this clause, *large site* means:

- a lot with an area of at least 1000 square metres and a frontage of at least 20 metres; or
- two or more contiguous lots with a combined area of at least 1000 square metres and a combined frontage of at least 20 metres.

Column 1 Land	Column 2 Maximum building height	Column 3 Maximum number of storeys
Land shown on a planning scheme map as HCTZ1	The maximum building height is: ▪ 13.5 metres; or ▪ if the building is constructed on a large site, 21.5 metres.	The maximum number of storeys at any point is: ▪ four storeys; or ▪ if the building is constructed on a large site, six storeys.
Land shown on a planning scheme map as HCTZ2	The maximum building height is: ▪ 11 metres; or ▪ if the building is constructed on a large site, 13.5 metres.	The maximum number of storeys at any point is: ▪ three storeys; or ▪ if the building is constructed on a large site, four storeys.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if any of the following apply:

- 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 approval date of the amendment to this planning scheme that included the land to which the permit applies in this zone.
- An overlay applies to the land and:
 - The overlay includes a maximum building height requirement that is higher than the applicable maximum building height specified in this clause or includes a maximum number of storeys requirement that is more than the applicable maximum number of storeys specified in this clause.
 - The maximum building height requirement or maximum number of storeys requirement in the overlay applies to the construction of the building.

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 heights and maximum number of storeys requirements in this zone apply whether or not a planning permit is required for the construction of a building.

Building height if the land is subject to inundation

If the land is in a Special Building Overlay or a Land Subject to Inundation Overlay, or is land liable to inundation, the maximum building height specified in 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.

32.10-9

31/03/2025
VC267

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a development of one dwelling on a lot or a small second dwelling on a lot, the neighbourhood and site description and design response as required in Clause 54.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the site description and design response as required in Clause 55.
- For a development of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the site description and design response as required in Clause 57.
- 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.

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.

32.10-10

31/03/2025
VC267

Exemption from notice and review

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.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential building

An application for two or more dwellings on a lot under clause 32.10-5 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 all the applicable standards under clause 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.

32.10-1131/03/2025
VC267**Decision guidelines**

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.
- Overlooking and overshadowing impacts to adjoining land in the General Residential Zone, Housing Choice and Transport 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 the Housing Choice and Transport Zone, 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, small second dwellings and residential buildings

- Whether the proposed building height provides for a transition in scale to adjacent areas with less or more intensive built form expectations.
- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable 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 of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of Clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four storeys, excluding a basement, the objectives, standards and decision guidelines of Clause 57.
- 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.

32.10-1225/02/2025
VC257**Signs**

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

32.10-1325/02/2025
VC257**Transitional provision**

In this clause:

- ***amended application*** means an application amended under section 50, 50A or 57A of the Act if the original application was made before the relevant approval date;
- ***relevant approval date*** means the approval date of the amendment to this planning scheme that included the land to which a transition application or transition permit applies in this zone;
- ***transition application*** means an application made before the relevant approval date or an amended application;
- ***transition permit*** means a permit that allows the construction of a building for use as a dwelling, small second dwelling or residential building granted in respect of a transition application if the building height of the permitted building, or the number of storeys in the permitted building at any point, is greater than the applicable maximum building height or maximum number of storeys, respectively, specified in clause 32.10-8.

The requirements of the zone the land was included in immediately before the approval date and any applicable schedule to that zone continue to apply to:

- A transition application.
- An application for an amendment of a transition permit under section 72 of the Act.

COMMERCIAL ZONES

34.0131/07/2018
VC148**COMMERCIAL 1 ZONE**

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).

34.01-114/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Accommodation (other than Community care accommodation, Corrective institution, Rooming house and Small second dwelling)	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	

BOROONDARA PLANNING SCHEME

Use	Condition
Office	The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.
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.

Use	Condition
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
Small second dwelling

34.01-2

15/07/2013
VC100

Use of land

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

31/07/2018
VC148

Subdivision

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:	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	

34.01-4

01/12/2023
VC217

Buildings and works

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 an 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.

34.01-531/03/2025
VC267**Neighbourhood and site description and design response**

An application for any of the following must be accompanied by a site description and a design response as described in Clause 54.01, 55.01 or 57.01, 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 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

34.01-614/01/2025
VC237**Application requirements****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 2022 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

31/07/2018
VC148

Exemption from notice and review

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

31/03/2025
VC267

Decision guidelines

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, Housing Choice and Transport 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, Housing Choice and Transport 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, Clause 55 and Clause 57. 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.

Clause 55 of this planning scheme, as in force immediately before the approval date of Amendment VC267, 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.

34.01-9

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE**1.0**

28/07/2022
C313boro

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
None specified	None specified	None specified

34.02

31/07/2018
VC148

COMMERCIAL 2 ZONE

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

14/01/2025
VC237

Table of uses

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	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
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 2022. ▪ 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	

Use	Condition
Mail centre	
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 2022. ▪ 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.

Use	Condition
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	
Container deposit scheme centre	
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 and Container deposit scheme centre)	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.

Use	Condition
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

15/07/2013
VC100

Use of land

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

31/07/2018
VC148

Subdivision

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

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: - 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

34.02-4

01/12/2023
VC217

Buildings and works

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 an 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

14/01/2025
VC237

Application requirements

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 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 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

31/07/2018
VC148

Exemption from notice and review

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.

34.02-731/07/2018
VC148**Decision guidelines****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.

34.02-831/07/2018
VC148**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.

PUBLIC LAND ZONES

36.0131/07/2018
VC148**PUBLIC USE ZONE**

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.

36.01-114/11/2022
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.
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

36.01-219/01/2006
VC37**Permit requirement**

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.

36.01-319/01/2006
VC37**Application requirements**

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

31/07/2018
VC148

Decision guidelines

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

19/01/2006
VC37

Permit not required

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

14/01/2025
VC237

Table of public land use

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

20/01/2022
VC205

Signs

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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE**1.0**

28/07/2022
C313boro

Permit exemptions and conditions

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

2.0

28/07/2022
C313boro

Sign requirements

Land	Sign Category
None specified	None specified

36.0231/07/2018
VC148**PUBLIC PARK AND RECREATION ZONE**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.

36.02-114/01/2025
VC237**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.
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 <i>Marine and Coastal Act 2018</i> .
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Contractor's depot	Must be either of the following:
Heliport	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 <i>Local Government Act 2020</i> , the <i>Reference Areas Act 1978</i> , the <i>National Parks Act 1975</i> , the <i>Fisheries Act 1995</i> , the <i>Wildlife Act 1975</i> , the <i>Forest Act 1958</i> , the <i>Water Industry Act 1994</i> , the <i>Water Act 1989</i> , the <i>Marine Safety Act 2010</i> , the <i>Port Management Act 1995</i> , or the <i>Crown Land (Reserves) Act 1978</i> .
Office	
Retail premises	
Store	
Any other use not in Section 3	
	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.

Use	Condition
Store - if the Section 1 condition is not met	Must be associated with the public land use.

Section 3 - Prohibited

Use
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

14/01/2025
VC237

Permit requirement

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 2020*, 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

19/01/2006
VC37

Application requirements

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

31/07/2018
VC148

Exemption from notice and review

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

31/07/2018
VC148

Decision guidelines

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

19/01/2006
VC37

Incorporated plan

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

19/01/2006
VC37

Use and development of land identified in a schedule

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

31/07/2018
VC148

Signs

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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0

28/07/2022
C313boro

Permit exemptions and conditions

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

2.0

28/07/2022
C313boro

Sign requirements

Land	Sign Category
None specified	None specified

3.0

28/07/2022
C313boro

Use and development of land specified in an Incorporated Plan

None specified.

36.0331/07/2018
VC148**PUBLIC CONSERVATION AND RESOURCE ZONE**

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.

36.03-114/01/2025
VC237**Table of uses****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	Must be either of the following:
Camping and caravan park	- 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 <i>Local Government Act 2020</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Safety Act 2010</i>, the <i>Port Management Act 1995</i> or the <i>Crown Land (Reserves) Act 1978</i>. - Specified in an Incorporated plan in a schedule to this zone.
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)	

Use	Condition
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 <i>Local Government Act 2020</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Safety Act 2010</i>, the <i>Port Management Act 1995</i> or the <i>Crown Land (Reserves) Act 1978</i>.

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 <i>National Parks Act 1975</i>. Must meet the requirements of Clause 53.13.
Wind energy facility	Must not be located on land described in a schedule to the <i>National Parks Act 1975</i>. 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

14/01/2025
VC237

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 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 2020*, 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 2020*, 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

20/03/2023
VC229

Application requirements

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

31/07/2018
VC148

Exemption from notice and review

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

18/06/2010
VC62

Referral of applications

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

31/07/2018
VC148

Decision guidelines

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

18/06/2010
VC62

Incorporated plan

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

18/06/2010
VC62

Use and development of land identified in a schedule

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

31/07/2018
VC148

Signs

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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

1.0

28/07/2022
C313boro

Permit exemptions and conditions

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

2.0

28/07/2022
C313boro

Sign requirements

Land	Sign Category
None specified	None specified

3.0

28/07/2022
C313boro

Use and development of land specified in an Incorporated Plan

None specified.

36.0420/01/2022
VC205**TRANSPORT ZONE**

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.

36.04-115/03/2024
VC256**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.
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 and Telecommunications facility)	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

20/01/2022
VC205

Permit requirement

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

20/01/2022
VC205

Application requirements

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

20/01/2022
VC205

Table of transport uses

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

20/01/2022
VC205

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 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

12/02/2024
VC254

Signs

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.
- on land in a Transport Zone 1, if a Transport Zone 2 or Transport Zone 3 is the adjoining zone.

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.

SPECIAL PURPOSE ZONES

37.0131/07/2018
VC148**SPECIAL USE ZONE**

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.

37.01-119/01/2006
VC37**Table of uses****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

37.01-231/07/2018
VC148**Use of land**

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.

37.01-314/12/2023
VC253**Subdivision****Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

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

20/12/2021
VC174

Buildings and works

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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

28/07/2022
C313boro

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

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

GOLF COURSES

Purpose

To provide for land in private ownership to be used and developed as a golf course.

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 neighbourhood.

1.0

14/11/2022
VC227

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Caretaker's house	
Car park	Must be in association with a minor sports and recreation facility
Leisure and recreation (other than Amusement park, Indoor recreation facility, Major sports and recreation facility, Motor racing track, Paintball games facility, and Zoo)	
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
Indoor recreation facility	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, and Mining, and Search for stone)	
Place of assembly (other than Amusement parlour, Cinema, Circus, Drive-in theatre, and Nightclub)	

Use	Condition
Utility installation (other than Minor utility installation and Telecommunications facility)	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Agriculture (other than Apiculture)
Amusement park
Amusement parlour
Car park – if the Section 1 condition is not met
Cinema
Circus
Drive-in theatre
Extractive industry
Industry (other than Automated collection point)
Major sports and recreation facility
Motor racing track
Nightclub
Paintball games facility
Zoo
Any other use not in Section 1 or 2

2.0

28/07/2022
C313boro

Use of land

None specified.

3.0

28/07/2022
C313boro

Subdivision

None specified.

4.0

28/07/2022
C313boro

Buildings and works

Application requirements

An application to construct a building or construct or carry out works must be accompanied by a plan, drawn to scale, which shows:

- The boundaries and dimensions of the site.
- Relevant ground levels.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- The layout and use of existing and proposed buildings and works, including driveways and car parking and loading areas.
- Elevation drawings indicating the colour and materials of all proposed buildings and works.

- Construction details of all drainage works, driveways and car parking and loading areas.
- Details of existing and proposed landscaping.

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 land, especially the relationship with residential areas.
- The location and type of access to the site.
- The provision for car parking.
- The appearance and bulk of buildings having regard to the adjoining land, especially the relationship with residential areas.
- The provision of land for landscaping and beautification.
- The movement of pedestrians and cyclists and vehicles providing for supplies, waste removal, emergency services and public transport.
- Loading and service areas.
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy.

5.0

28/07/2022
C313boro

Signs

None specified.

28/07/2022
C313boro

SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ2**.

PRIVATE EDUCATION CENTRE

Purpose

To provide for land in private ownership to be used and developed as an education centre.

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 neighbourhood.

1.0

14/11/2022
VC227

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Caretaker's house	
Education centre	
Home based business	
Leisure and recreation (other than Amusement park, Major sports and recreation facility, Motor racing track, Paintball games facility, and Zoo)	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Place of worship	
Railway	
Search for stone	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park	Must be in association with an education centre
Child care centre	Must be in association with an education centre
Convenience shop	Must be in association with an education centre
Dwelling (other than Caretaker's house)	Must be in association with an education centre
Food and drink premises (other than Hotel and Tavern)	Must be in association with an education centre

Use	Condition
Major sports and recreation facility (other than Race course)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration and , Mining)	
Office	Must be in association with an education centre The leasable floor area must not exceed 500 square metres
Place of assembly (other than Amusement parlour, Cinema, Circus, Drive-in theatre, Nightclub, and Place of worship)	
Residential building	Must be in association with an education centre
Utility installation (other than Telecommunications facility)	

Section 3 - Prohibited

Use
Accommodation (other than Dwelling and Residential building)
Agriculture (other than Apiculture)
Amusement park
Amusement parlour
Cinema
Circus
Drive-in theatre
Extractive industry
Hotel
Industry (other than Automated collection point)
Motor racing track
Nightclub
Paintball games facility
Race course
Retail premises (other than Convenience shop and Food and drink premises)
Tavern
Zoo
Any other use not in Section 1 or 2

2.0

28/07/2022
C313boro

Use of land

None specified.

3.028/07/2022
C313boro**Subdivision**

None specified.

4.028/07/2022
C313boro**Buildings and works****Application requirements**

An application to construct a building or construct or carry out works must be accompanied by a plan, drawn to scale, which shows:

- The boundaries and dimensions of the site.
- Relevant ground levels.
- Adjoining roads.
- The location, height and purpose of buildings and works on adjoining land.
- The layout and use of existing and proposed buildings and works, including driveways and car parking and loading areas.
- Elevation drawings indicating the colour and materials of all proposed buildings and works.
- Construction details of all drainage works, driveways and car parking and loading areas.
- Details of existing and proposed landscaping.

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 land, especially the relationship with residential areas.
- The location and type of access to the site.
- The provision for car parking.
- The appearance and bulk of buildings having regard to the adjoining land, especially the relationship with residential areas.
- The provision of land for landscaping and beautification.
- The movement of pedestrians and cyclists and vehicles providing for supplies, waste removal, emergency services and public transport.
- Loading and service areas.
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy.

5.028/07/2022
C313boro**Signs**

None specified.

37.0231/07/2018
VC148**COMPREHENSIVE DEVELOPMENT ZONE**

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.

37.02-119/01/2006
VC37**Table of uses****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

37.02-231/07/2018
VC148**Use of land**

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.

37.02-315/03/2024
VC256**Subdivision****Permit requirement**

A permit is required to subdivide land.

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.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

Any requirement in the schedule to this zone must be met.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

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
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- 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.

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

37.02-4

20/12/2021
VC174

Buildings and works

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.

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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

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

CONCEPT PLAN – 800 TOORAK ROAD COMPREHENSIVE DEVELOPMENT PLAN, OCTOBER 2015**Land**

Land located at 800 Toorak Road, Glen Iris on the southern side of Toorak Road (as indicated on the Comprehensive Development Plan).

Purpose

To encourage and assist the overall development of the land for an office and ancillary uses.

To ensure that the combination of uses and the scale and character of any redevelopment is compatible with the character, amenity and appearance of the surrounding area, the capacity of the existing and proposed road system to accommodate any increase in traffic, and the capacity of existing essential services including proposed modifications.

To ensure that the office development is compatible with and will complement the future development of the Camberwell District Centre.

To ensure that the land is developed in an orderly and comprehensive manner.

1.001/12/2023
VC217**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.
Car park	
Child care centre (other than Kindergarten)	
Exhibition centre	
Food and drink premises (other than Convenience restaurant and Hotel)	
Home based business	
Informal outdoor recreation	
Library	
Medical centre	Must be only one practitioner and must not be an X-Ray centre or a child welfare centre.
Office (other than Medical centre)	For that part of the zone marked as "Offices A" on the Concept Plan – 800 Toorak Road Comprehensive Development Plan, October 2015, car parking must be provided at a rate of at least 2.9 spaces to each 100 square metres of leaseable floor area.
Postal agency	
Service station	

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

Section 2 - Permit required

Use	Condition
Accommodation (other than Corrective institution) Convenience restaurant Hotel	
Industry (other than Automated collection point)	Must not be purpose listed in the table to Clause 53.10.
Kindergarten Leisure and recreation (other than Informal outdoor recreation and Motor racing track) Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone) Place of assembly (other than Exhibition centre and Library) Retail premises (other than Adult sex product shop, Food and drink premises, Motor vehicle, boat, or caravan sales, Postal agency, and Timber yard) Utility installation (other than Minor utility installation and Telecommunications facility)	
Warehouse	Must not be a purpose listed in the table to Clause 53.10.

Section 3 - Prohibited

Use
Adult sex product shop Agriculture (other than Apiculture) Cemetery Corrective institution Crematorium Extractive Industry Motor racing track Motor vehicle, boat, or caravan sales Saleyard Timber yard

2.0

28/07/2022
C313boro

Use of land

The use of the land must not adversely affect the amenity of the area.

3.0

28/07/2022
C313boro

Subdivision

None specified.

4.0

28/07/2022
C313boro

Buildings and works

No permit is required to construct a building or construct or carry out works.

The development of the land must not adversely affect the amenity of the area.

Overall development plan

No building 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.

The plan must be generally in accordance with the Concept Plan – 800 Toorak Road Comprehensive Development Plan, October 2015 and must show:

- No building or works exceeding the height above the Australian height datum for any particular site as shown on the Concept Plan except:

To accommodate roof top services that are designed as architectural roof top features or hidden from any adjoining public space. Roof top services includes but is not limited to plant rooms, air conditioning, lift overruns, roof top gardens, decks, and communal outdoor spaces and their ancillary facilities.

- The location, layout, height, dimensions and floor area of all buildings and works.
- The proposed use of each building.
- The location and layout of all car parking areas and access to and from them and a management plan for operating and maintaining the areas.

All buildings and works, open space, landscaping and use of land must be in accordance with the plan.

The plan may be amended to the satisfaction of the responsible authority.

Before the plan can be approved or amended, the responsible authority must display the plan at the responsible authority's office for at least fourteen days.

Car parking

The responsible authority may grant a permit to reduce the number of car spaces required for a particular use in Section 1 if it is satisfied that the number of spaces required:

- Is necessary in the circumstances.
- Could create or aggravate traffic congestion in the locality.
- Can be provided on other land in the locality.

Before deciding on an application to reduce the number of car spaces, the responsible authority must consider:

- The likely demand for car parking spaces.
- The extent to which the various uses of the land are likely to generate different levels of demand for car parking at different times.
- The possible multi-use of the car spaces.
- Any demand for car spaces generated by the existing use of the land.
- The accessibility of the site to vehicular traffic.

- The proposed layout of parking areas.
- The dimensions of the car spaces, access lanes and driveways and layout of parking areas must meet the requirements of Clause 52.06 unless the responsible authority agrees otherwise.

Loading and unloading facilities

Facilities for vehicles to load and unload must be provided on the land to the satisfaction of the responsible authority.

Goods must be stored and transported to, from and on the land to the satisfaction of the responsible authority.

5.0

28/07/2022
C313boro

Signs

None specified.

37.0301/07/2021
VC203**URBAN FLOODWAY ZONE**

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.

37.03-114/01/2025
VC237**Table of uses****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

37.03-217/02/2022
VC200**Buildings and works**

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

14/12/2023
VC253

Subdivision

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.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

37.03-4

31/07/2018
VC148

Application requirements

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

19/01/2006
VC37

Referral of applications

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

31/07/2018
VC148

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 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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

1.0

28/07/2022
C313boro

Application requirements

None specified.

2.0

28/07/2022
C313boro

Decision guidelines

None specified.

3.0

28/07/2022
C313boro

Signs

Land	Sign Category
None specified	

37.0631/07/2018
VC148**PRIORITY DEVELOPMENT ZONE**

Shown on the planning scheme map as **PDZ** 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 projects and areas of regional or State significance.

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

37.06-119/01/2006
VC37**Table of uses****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

37.06-219/01/2006
VC37**Use of land**

Any requirement in the schedule to this zone must be met.

37.06-314/12/2023
VC253**Subdivision****Permit requirement**

A permit is required to subdivide land.

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.

Class of subdivision	Objectives and standards to be met
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.

Any requirement in the schedule to this zone must be met.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

37.06-4

20/12/2021
VC174

Buildings and works

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.

37.06-5

13/04/2017
VC136

Application requirements

An application to use land, to subdivide land or 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.

37.06-6

19/01/2006
VC37

Exemption from notice and review

An application under any provision of this 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 unless the schedule to this zone specifies otherwise.

37.06-7

31/07/2018
VC148

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.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58
- Any guidelines in the schedule to this zone.

37.06-8

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

37.06-9

19/01/2006
VC37

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.

SCHEDULE 1 TO CLAUSE 37.06 PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as **PDZ1**.

TOORONGA VILLAGE SITE

The Tooronga Village Incorporated Plan, 2013 is the incorporated plan for the land.

Land

This schedule applies to land located on the south-east corner of Toorak Road and Tooronga Road, Glen Iris (as included in the Tooronga Village Incorporated Plan, 2013).

Objective

To provide for the integrated use, subdivision and development of the land generally in accordance with the Tooronga Village Incorporated Plan, 2013.

To provide opportunities for a range of uses, including housing, office, retail, leisure and recreation, sporting facilities, sports related educational uses and open space.

To provide for employment and supporting facilities.

To provide local accessibility and permeability for the site.

To encourage high quality urban and architectural design that is responsive to the site's features and characteristics, as well as the wider site context.

To provide for appropriate site and precinct interfaces.

To locate most built form in the northern section of the site.

To complement the open landscape along the Gardiners Creek area and enhance Burke Road South Reserve.

To encourage the application of ecologically sustainable design initiatives in the overall design and development of the site.

To provide for linkages to the Gardiners Creek corridor as a key community, environmental and recreational asset.

To provide for the upgrading and revegetation of the Gardiners Creek corridor where it adjoins the site.

1.001/12/2023
VC217**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.
Bank	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.
Car park	
Child care centre (other than Kindergarten)	
Convenience shop	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.

BOROONDARA PLANNING SCHEME

Use	Condition
Dwelling	The total number of dwellings must not exceed 300 and must be located in Precinct 1.
Education centre	Must be located in Precinct 2 as described in the Tooronga Village Incorporated Plan 2013 and be used in association with physical or outdoor education.
Food and drink premises (other than Convenience restaurant, Hotel, and Tavern)	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.
Home based business	
Informal outdoor recreation	
Library	
Leisure and recreation (other than Major sports and recreation facility and Motor racing track)	Must be located in Precinct 2 as described in the Tooronga Village Incorporated Plan 2013.
Medical centre	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.
Minor sports and recreation facility	Must be located in Precinct 2 as described in the Tooronga Village Incorporated Plan 2013.
Office (other than Bank and Medical centre)	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan 2013.
Postal agency	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.
Railway	
Residential hotel (other than Motel)	Must be located in Precinct 1A as described in the Tooronga Village Incorporated Plan, 2013.
Restricted recreation facility	
Shop (other than Adult sex product shop and Convenience shop)	Must be located in Precinct 1A as described in the Tooronga Village Incorporated Plan, 2013.
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 Camping and caravan park, Corrective institution, Dwelling, and Residential hotel)	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.
Car wash	
Convenience restaurant	

BOROONDARA PLANNING SCHEME

Use	Condition
Convenience shop – if the Section 1 condition is not met	Must be located in Precinct 1A as described in the Tooronga Village Incorporated Plan 2013.
Dry cleaner	
Hotel	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.
Kindergarten	
Laundromat	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, Motor racing track, and Restricted recreation facility)	
Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration, Mining, and Search for stone)	
Motel	
Place of assembly (other than Carnival, Circus, and Library)	
Retail premises (other than Food and drink premises, Postal agency and Shop)	Must be located in Precinct 1A as described in the Tooronga Village Incorporated Plan 2013.
Tavern	Must be located in Precinct 1 as described in the Tooronga Village Incorporated Plan, 2013.
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
Agriculture (other than Apiculture)
Camping and caravan park
Cemetery
Corrective institution
Crematorium
Dwelling in Precinct 2 and 3
Extractive industry
Industry (other than Automated collection point, Car wash, Dry cleaner, and Laundromat)
Major sports and recreation facility
Motor racing track
Office in Precinct 2 and 3

Use**Saleyard****Shop in Precinct 2 and 3****2.0**22/01/2015
C188**Use of land**

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.

Application requirements

- An application to use land must be accompanied by the following information, as appropriate, to the satisfaction of the Responsible Authority:
 - The purpose of the use and the types of activities that will be carried out.
 - The means of maintaining land not required for immediate use.
 - An assessment of the likely effects of freeway and arterial road noise and vibration on the proposed use and measures to attenuate any unreasonable adverse effect.
 - An explanation of how the proposal responds to the use principles in the Tooronga Village Incorporated Plan, 2013.

3.022/01/2015
C188**Buildings and works**

A permit is not required to construct or carry out:

- A building or 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.
- Works for the purpose of preliminary soil investigation and testing of soil.

A permit granted must be generally in accordance with the Tooronga Village Incorporated Plan, 2013.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale and fully dimensioned which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - The relevant ground levels and building heights to Australian Height Datum.
 - The layout and height of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.

- A waste and recycling management plan.
 - Areas not required for immediate use within the same precinct.
 - External lighting.
 - The staging of development within the same precinct.
 - The integration with development in any adjacent precinct.
 - The indicative location, type and design of proposed signs.
 - Shadow diagrams.
- A traffic report prepared by a qualified traffic engineer detailing car parking generation, details of any works required details of internal and external traffic arrangements and the timing of any required works. This report must include:
 - A traffic management plan.
 - A parking management plan.
 - An integrated transport plan.
 - An acoustic report describing proposed noise attenuation measure, and their ongoing maintenance, for buildings adjacent to the freeway or fronting Toorak Road or Tooronga Road.
 - A drainage report detailing proposals to manage stormwater runoff from the site.
 - A report explaining how the proposal implements ecologically sustainable design principles.
 - A wind assessment for developments of four or more storeys, excluding a basement.
 - Materials, colours and finishes of all buildings and works.
 - Construction details of all drainage works, driveways and vehicle parking and loading areas.
 - A landscape plan describing the vegetation to be planted, the surfaces to be constructed, site works, specifications and the method of preparing, draining, irrigating and maintaining the landscape areas.
 - An explanation of how the proposal responds to the various general and precinct specific development related principles in the Tooronga Village Incorporated Plan 2013.

Exemption from notice and review

The exemption from the notice and decision requirements and review rights set out in Clause 37.06-6 does not apply to an application for building and works within 30 metres of the eastern residential boundary of the site which are in excess of 8 metres in height or involve sportsfield lighting.

4.0

28/07/2022
C313boro

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.06, in addition to those specified in Clause 37.06 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Tooronga Village Incorporated Plan, 2013.
- The objectives of the zone and the relevant precinct or precincts.
- The impact of traffic to be generated on existing traffic movement.
- The interim treatment, use and management of those parts of the land within that precinct not required for the purpose of the use.
- The indicative staging of development within that precinct.

- The integration with development in any adjacent precinct.
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- Provision for car parking
- The objectives of Clause 55 and standards B1, B2, B3, B4, B5, B8, B9, B10, B11, B12, B13, B14, B15, B16, B19, B20, B21, B22, B23, B24, B25, B26, B27, B28, B29, B30, B31, B32, B33 and B34. This does not apply to development of four or more storeys.
- The availability of and connection to services.
- The proposed management arrangements for the maintenance of buildings, landscaping and paved areas.
- The design of the proposed buildings and their relationship to the streetscape and any surrounding development and uses, including the Coles building, the Gardiners Creek corridor and the Burke Road South Reserve.
- The streetscape, including the treatment of the front and back of buildings and their appurtenances.
- Any relevant plan for landscape design.
- The provision and location of reserves for public open space and other community facilities.
- The integration between existing and proposed uses.
- The amenity of residential properties abutting or opposite the site.
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The objectives and standards of Clause 56.
- The interface with adjoining zones, especially the relationship with residential areas.

5.0

28/07/2022
C313boro

Permit requirements

If any permit issued will cause the net floor area of office or residential use within Precinct 1B to exceed 1,500 square metres, the permit must include a condition that, unless otherwise agreed in writing by VicRoads, the mitigation works shown in Tooronga Village Proposed Signal Hardware Toorak Road / Tooronga Village Access Road concept plan (GTA Consultants, Drawing No: 13M1112500-01P1, 08 July 2014) must be carried out to the satisfaction of, and at no cost to, VicRoads prior to the occupation of the building.

Prior to the approval of any permit that will result in the transfer of land to Boorondara City Council, any works shown in an Incorporated Plan associated with that land must be completed to the satisfaction of the Responsible Authority and at no cost to Boroondara City Council.

6.0

28/07/2022
C313boro

Signs

The sign requirements are at Clause 52.05.

For Precincts 1 the relevant category is 1. For Precincts 2 and 3 the relevant category is 3.

7.0

22/01/2015
C188

Car parking and traffic

Specific car parking requirements that apply to this zone are set out in the table below:

Use	Car Parking Rate
Supermarket	6 spaces to each 100 square metres of leaseable floor area

Use	Car Parking Rate
Speciality shops, including liquor shop	3 spaces to each 100 square metres of leaseable floor area
Dwelling	1.5 spaces to each dwelling plus 0.2 visitor spaces to each dwelling

Before deciding on an application to reduce the number of car spaces, the responsible authority must consider:

- Any relevant parking precinct plan.
- The availability of car parking in the locality.
- The availability of public transport in the locality.
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.
- Any car parking deficiency or surplus associated with the existing use of the land.
- Any credit which should be allowed for a car parking demand deemed to have been provided in association with a use which existed before the change of parking requirement.
- Local traffic management.
- Local amenity including pedestrian amenity.
- An empirical assessment of car parking demand.
- Any other relevant considerations.

The dimensions of the car spaces, access lanes and driveways and layout or parking areas must meet the requirements of Clause 52.06 unless the responsible authority agrees otherwise.

Access to the loading dock in the Coles complex must be provided from Toorak Road and Tooronga Road and one of these access ways must accommodate ingress to and egress from the loading dock of a 19 metre long vehicle.

8.0

28/07/2022
C313boro

Background document

Tooronga Village Incorporated Plan, 2013

OVERLAYS

This section sets out the overlays which apply in this scheme.

41

31/07/2018
VC148

[NO CONTENT]

ENVIRONMENTAL AND LANDSCAPE OVERLAYS

42.0131/07/2018
VC148**ENVIRONMENTAL SIGNIFICANCE OVERLAY**

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.

42.01-131/07/2018
VC148**Environmental significance and objectives**

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

42.01-214/12/2023
VC253**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.
- 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:	Clause 59.02
- 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.	
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided:	Clause 59.06
- 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.	
Construct a building or construct or carry out works for:	Clause 59.05
- A carport, garage, pergola, verandah, deck, shed or similar structure. - A rainwater tank. The buildings and works must be associated with a dwelling or a small second dwelling.	

42.01-3

16/08/2024
VC262

Table of exemptions

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 <i>Mineral Resources (Sustainable Development) Act 1990</i> 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 <i>Conservation, Forests and Lands Act 1987</i>); - 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 87 of the <i>Fire Rescue Victoria Act 1958</i>; - section 65 of the <i>Forests Act 1958</i>; or - section 41 of the <i>Country Fire Authority Act 1958</i>. - 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 <i>Electricity Safety Act 1998</i>; - 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 <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
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 <i>Geothermal Energy Resources Act 2005</i> .
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 <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Mineral Resources (Sustainable Development) Act 1990</i>: - that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or - in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>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.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
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 <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.

The requirement to obtain a permit does not apply to:	
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 <i>Conservation, Forests and Lands Act 1987</i>).
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 (<i>Pteridium esculentum</i>); 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 <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Surveying Act 2004</i>) 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 <i>Traditional Owners Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> 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

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.01-5

31/07/2018
VC148

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 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 defensible space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

28/07/2022
C313boro

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

BECKETT PARK ENVIRONMENTAL SIGNIFICANCE AREA

1.0

28/07/2022
C313boro

Statement of environmental significance

Much of the near eastern suburbs of Melbourne once supported a grassy woodland which included *Eucalyptus melliodora* as a characteristic co-dominant. There are no intact stands of this vegetation type remaining, although similar woodlands still occur at the Watsonia Military area. The open canopy included *Eucalyptus camaldulensis*, above an open shrub layer in which various *Acacia* species were common. The field layer was apparently dominated by various grasses. This site is a disturbed remnant of that field layer. Scattered *E. camaldulensis* occur at the site, though many trees have been removed and the former shrubs are now uncommon.

2.0

28/07/2022
C313boro

Environmental objective to be achieved

To encourage the conservation and enhancement of the characteristic vegetation type.

To prevent inappropriate siting of buildings and works.

To encourage the use of the area for education purposes.

3.0

28/07/2022
C313boro

Permit requirement

A permit is not required to construct or carry out any of the following:

- Buildings or works shown in an incorporated plan which applies to the land.
- Works carried out by or behalf of a public land manager under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995 and the Forests Act 1958.
- Works carried out by or on behalf of Melbourne Parks and Waterways under the Water Industry Act 1994, the Water Act 1989 and the Crown Land (Reserves) Act 1978.
- Works carried out by the floodplain management authority.
- Routine repairs or maintenance to existing buildings or works. This does not include increasing the height of a levee bank, embankment or road.
- Post and wire and rural type fencing.
- 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 and are in accordance with plans prepared to the satisfaction of the responsible authority.
- A television or radio antenna.
- A chimney, flue pipe or cooling or heating appliance.
- Telephone or power lines provided they do not involve the construction of towers or poles.

A permit is not required to remove, destroy or lop any of the following vegetation:

- A tree with a trunk circumference of less than 0.35 metre at a height of one metre above the ground level and which is less than 6 metres high.
- Pruning (including vegetation overhanging a dwelling or within 2 metres of a dwelling).
- Pruning a tree to assist its regeneration.
- Removal, destruction or lopping to prevent damage to service infrastructure in the opinion of the responsible authority.

- Removal of environmental weeds.
- The pruning or removal of a tree or root pruning to prevent damage to works when in the opinion of the responsible authority damage to a pipeline, electricity or telephone transmission line cable or other service has occurred or is likely to occur.

4.0

28/07/2022
C313boro

Application requirements

None specified.

5.0

28/07/2022
C313boro

Decision guidelines

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 existing development of the area.
- The effect of any potential development or vegetation removal on the natural ecosystems of the area, including the need to retain native vegetation which has flora value or value for fauna habitat.
- The effect of any potential development or vegetation removal on pest plant infestations and pest animal populations.
- The preservation of, and impact on, the natural environment and ecosystems and the need to prevent erosion of the land.
- The management of vegetation to minimise fire hazard.
- The need to retain a buffer strip of vegetation within a specified distance of roads, property boundaries and adjoining parkland.
- The need for planting, replanting, removal of weeds or other treatment of any part of the land, including the need for planting with native or indigenous species.
- Any proposed landscape plan or agreement to replant areas of vegetation on the site.

Background documents

Department of Conservation and Environment, 1990 "Remnant Native Grasslands and Grassy Woodlands of the Melbourne Area"

Sites of Faunal and Habitat Significance in North East Melbourne, Cam Beardsell, 1997

City of Boroondara Open Space Policy 1996

Carr, J Yugovic and K. Robinson, 1992, 'Environmental Weed Invasions in Victoria' Department of Conservation and Environment and Ecological Horticulture Pty Ltd, Melbourne

42.0231/07/2018
VC148**VEGETATION PROTECTION OVERLAY**

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

Purpose

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

To protect areas of significant vegetation.

To ensure that development minimises loss of vegetation.

To preserve existing trees and other vegetation.

To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

To maintain and enhance habitat and habitat corridors for indigenous fauna.

To encourage the regeneration of native vegetation.

42.02-131/07/2018
VC148**Vegetation significance and objectives**

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

42.02-228/10/2022
VC224**Permit requirement**

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 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
Remove, destroy or lop one tree provided:	Clause 59.06
▪ 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.	

42.02-316/08/2024
VC262**Table of exemptions**

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped:

The requirement to obtain a permit does not apply to:	
	▪ 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 <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making 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 <i>Conservation, Forests and Lands Act 1987</i>); ▪ 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 87 of the <i>Fire Rescue Victoria Act 1958</i>; – section 65 of the <i>Forests Act 1958</i>; or – section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ 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 <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
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 <i>Geothermal Energy Resources Act 2005</i> .
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 <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management and 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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Mineral Resources (Sustainable Development) Act 1990</i> :

The requirement to obtain a permit does not apply to:	
	- that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or - in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>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.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
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 <i>Flora and Fauna Guarantee Act 1988</i> 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 <i>Conservation, Forests and Lands Act 1987</i>).
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 (<i>Pteridium esculentum</i>); 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 the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation 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 <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:

	- a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or - an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> 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.

42.02-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.02-5

31/07/2018
VC148

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 statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
 - Where ground slopes exceed 20 percent.
 - Within 30 metres of a waterway or wetland.
 - On land where the soil or subsoil may become unstable if cleared.
 - On land subject to or which may contribute to soil erosion, slippage or salinisation.
 - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
 - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.

BOROONDARA PLANNING SCHEME

- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.

28/07/2022
C313boro

SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO1.

WILLSMERE VEGETATION PROTECTION AREA

1.0

28/07/2022
C313boro

Statement of nature and significance of vegetation to be protected

All the large existing trees in the area contribute to the setting and views of the Willsmere Historic Building.

2.0

28/07/2022
C313boro

Vegetation protection objectives to be achieved

To minimise the destruction of or damage to trees in the area.

To recognise the special landscape significance of the area and the Yarra Bend Park.

To conserve trees of historical, visual, landscape or botanical significance.

3.0

28/07/2022
C313boro

Permit requirement

A permit is required to remove, destroy or lop any vegetation shown as being significant on Map 1, Map 2A or Map 2B to this Schedule and any tree taller than 12 metres.

4.0

28/07/2022
C313boro

Application requirements

None specified.

5.0

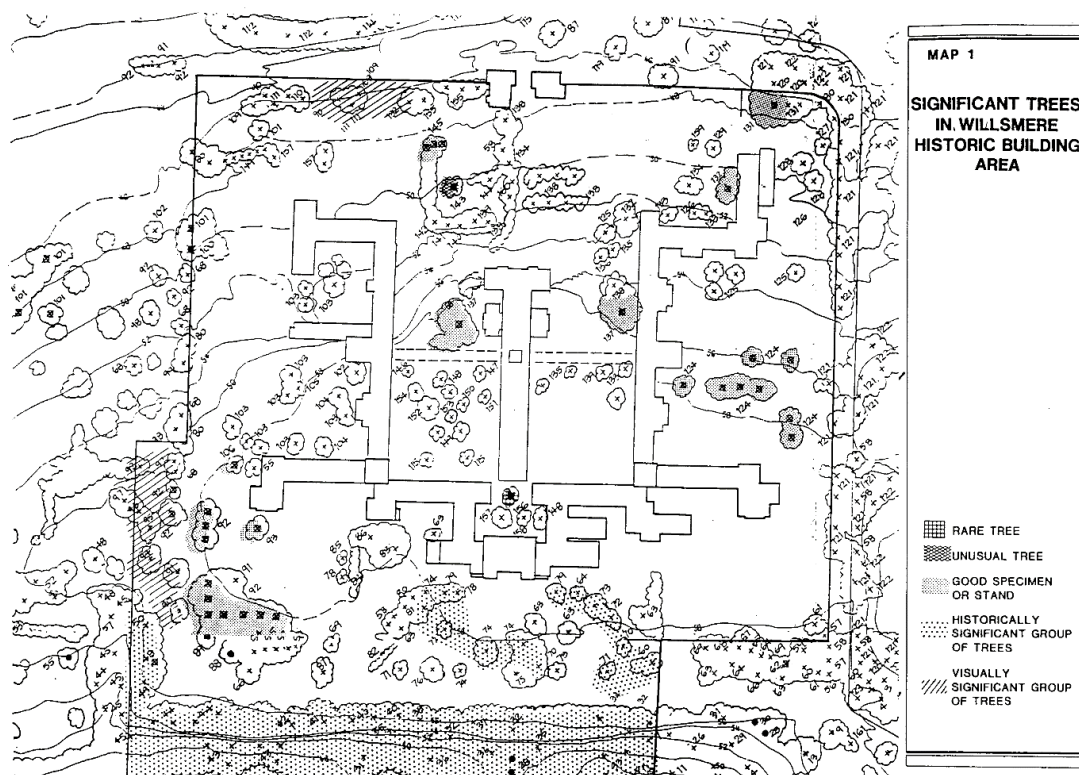
28/07/2022
C313boro

Decision guidelines

None specified.

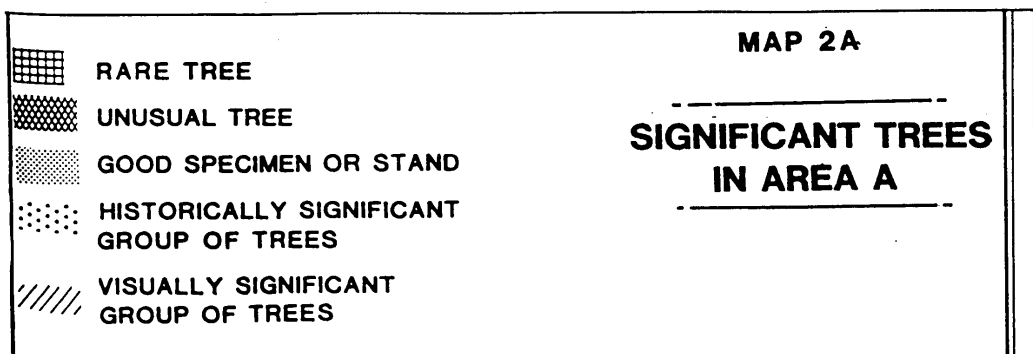
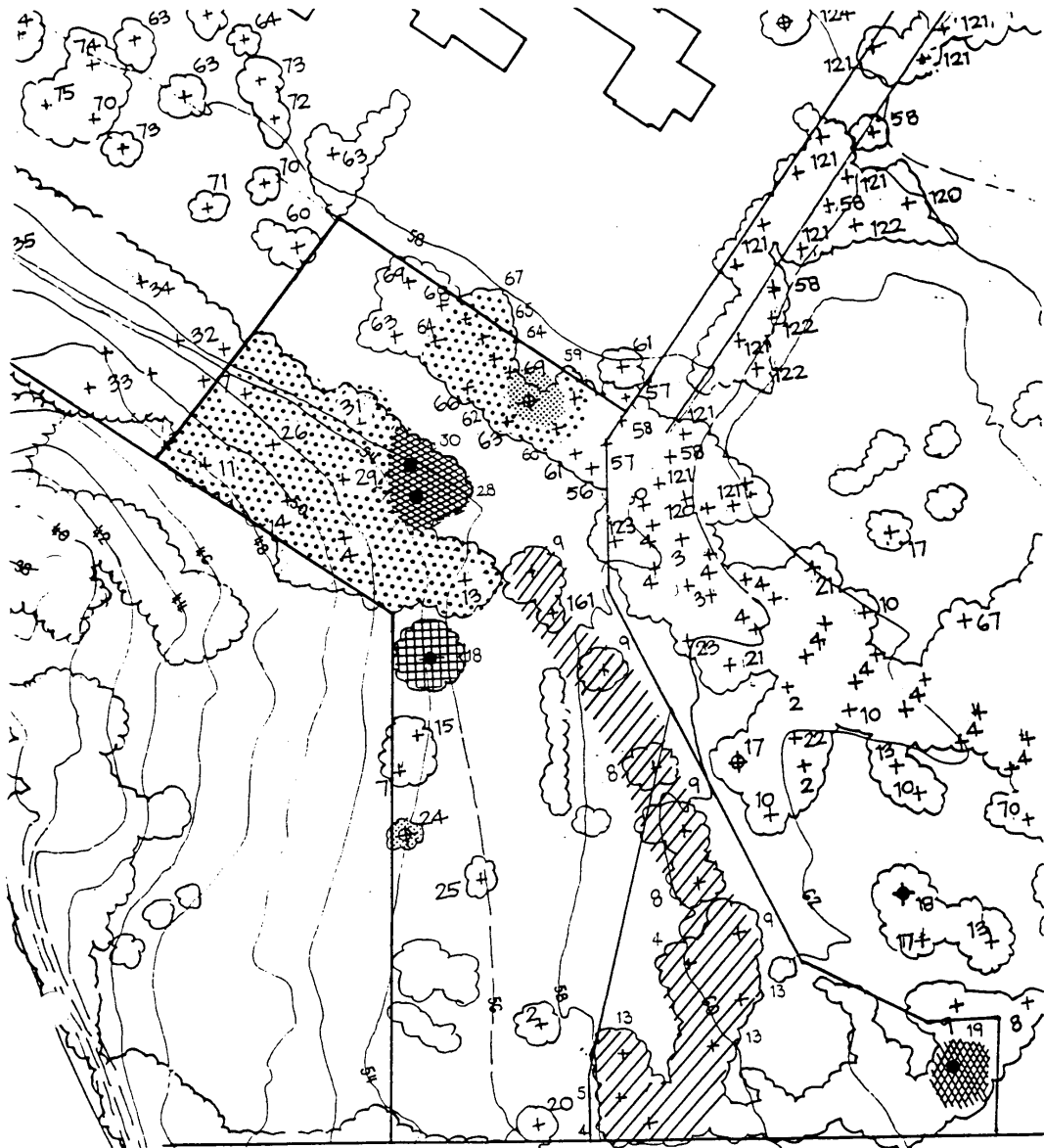
Map 1 to Schedule 1 to Clause 42.02

Significant trees in Willsmere Historic Building Area



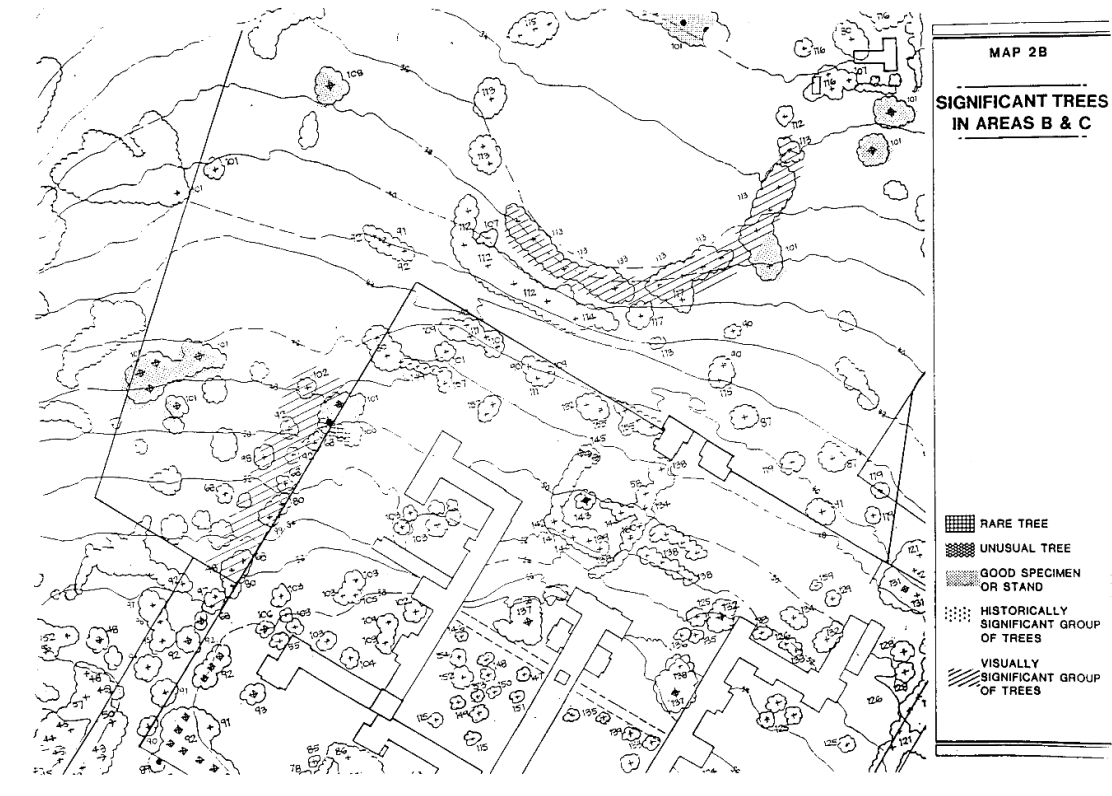
Map 2A to Schedule 1 to Clause 42.02

Significant trees in Area A



Map 2B to Schedule 1 to Clause 42.02

Significant trees in Areas B & C



28/07/2022
C313boro

SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO2**.

KEW RESIDENTIAL SERVICES SIGNIFICANT VEGETATION PROTECTION

1.0

28/07/2022
C313boro

Statement of nature and significance of vegetation to be protected

The following trees are significant because of their historic and social association with the development of Kew Residential Services:

- The avenue plantings along Lower Drive comprising a mix of Algerian oaks and English oaks.
- The avenue plantings along Main Drive comprising a mix of Algerian oaks, English elms, Moreton Bay figs and Bhutan cypress.
- The avenue plantings along Boundary Road comprising Algerian oaks.
- The Central Garden Plantation comprising a pair of Algerian oaks and a Holly-leaf cherry.
- The Bishop pine, Lower Drive. This tree is included on the National Trust Register of Significant Trees (Victoria).
- The Holly-leaf cherry located near the Princess Street entry to the site.
- The south-west garden plantation comprising a dense planting of Norfolk Island pines, Bunya Bunya, Canary Island and Monterey pines, Deodar and Irish Strawberry trees.

The following trees are significant because they represent remnant indigenous vegetation:

- All the River Red-gums and in particular the large River Red-gum located in the north-east part of the site.

2.0

28/07/2022
C313boro

Vegetation protection objectives to be achieved

To recognise the contribution that the significant trees make to the landscape quality of the Kew Residential Services site.

To conserve trees of historical, visual, landscape or botanical significance.

To protect significant trees during construction and after the redevelopment of the Kew Residential Services site.

To plan the redevelopment of the site in a way that is compatible with the retention and continued health of the significant trees.

3.0

28/07/2022
C313boro

Permit requirement

A permit is required to remove, destroy or lop any vegetation identified in Clause 1 to this schedule.

4.0

28/07/2022
C313boro

Application requirements

None specified.

5.0

28/07/2022
C313boro

Decision guidelines

None specified.

42.03

31/07/2018
VC148

SIGNIFICANT LANDSCAPE OVERLAY

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

31/07/2018
VC148

Landscape character and objectives

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

14/12/2023
VC253

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 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.	
Construct a building or construct or carry out works for a small second dwelling.	Clause 59.05

42.03-3

16/08/2024
VC262

Table of exemptions

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 <i>Mineral Resources (Sustainable Development) Act 1990</i> 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 <i>Conservation, Forests and Lands Act 1987</i>); - 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 87 of the <i>Fire Rescue Victoria Act 1958</i>; - section 65 of the <i>Forests Act 1958</i>; or - section 41 of the <i>Country Fire Authority Act 1958</i>. - 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 <i>Electricity Safety Act 1998</i>; - 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 <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
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 <i>Geothermal Energy Resources Act 2005</i>.

The requirement to obtain a permit does not apply to:	
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 <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Mineral Resources (Sustainable Development) Act 1990</i>: - that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or - in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>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.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
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 <i>Flora and Fauna Guarantee Act 1988</i> 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 <i>Conservation, Forests and Lands Act 1987</i>).
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 (<i>Pteridium esculentum</i>); 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 <i>Conservation, Forests and Lands Act 1987</i>).
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.

The requirement to obtain a permit does not apply to:

	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 <i>Surveying Act 2004</i>) 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 <i>Traditional Owners Settlement Act 2010</i>; or - an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> 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

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.03-5

31/07/2018
VC148

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 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 defensible 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.

28/07/2022
C313boro

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

YARRA (BIRRARUNG) RIVER CORRIDOR ENVIRONS

1.0

20/04/2021
VC197

Statement of nature and key elements of landscape

The Yarra River has metropolitan significance as an environmental, aesthetic, cultural, recreation and tourism asset. The river corridor links parklands and reserves into a near-continuous vegetated landscape experience that provides a highly valued, secluded natural environment, enjoyed by local and metropolitan communities.

The Yarra River corridor contains some of the most valued flora, fauna, geological and geomorphological assets in metropolitan Melbourne. Indigenous vegetation and remnant riparian vegetation provide habitat and contribute to the protection of water quality and flow regimes.

This segment of the Yarra River flows through the traditional land of the Wurundjeri Woi Wurrung people. The waterway, its natural landscape and key features have social, cultural and spiritual significance, with areas such as the river flats and billabongs being important gathering spots.

2.0

20/04/2021
VC197

Landscape character objectives to be achieved

To retain vegetation that contributes to landscape character, heritage values or neighbourhood character.

To maintain and protect linear public open space and provide for secluded areas of public open space with access to the river where appropriate.

To encourage the co-location or clustering of buildings, jetties and mooring facilities on public land.

To encourage bicycle and shared paths that are safe, well located and require minimal earthworks and vegetation removal.

To ensure fencing within close proximity to the Yarra River is low in scale, visually permeable and does not contrast with the natural landscape character.

3.0

20/04/2021
VC197

Permit requirement

A permit is required to:

- Remove, destroy or lop vegetation. This does not apply to:
 - Non-native vegetation that is less than 6 metres in height, has a trunk circumference of less than 0.35 metre measured at 1.4 metres above ground level and a branch spread of less than 4 metres.
 - Pruning of dead or broken branches, or branches less than 50 millimetres in diameter at the point of contact with the larger branches or trunk, provided no more than 1/3 of the foliage of each individual plant is removed. This does not apply to the trunk of a tree.
 - Vegetation maintenance carried out by, or on behalf of, a municipal council or public authority or public land manager.
 - Non-native vegetation in preparation for revegetation works carried out by, or on behalf of, a municipal council, public authority or public land manager.
 - Vegetation that could adversely affect stream flow carried out by, or on behalf of, a municipal council, public authority or public land manager.
- Construct a fence within 30 metres of the banks of the Yarra River or abutting public open space. This does not apply to a fence that:

- does not exceed the maximum height of 1.4 metres at any point above ground level; and
- is of timber post and rail, timber post and wire, or metal post and wire construction.

A permit is not required to construct a building or construct or carry out works:

- With a height not exceeding 6 metres above ground level.
- Carried out by, or on behalf of, a public land manager, municipal council or public authority to:
 - maintain the quality form, health or stability of a stream bed or banks, or restored or revegetated area;
 - control the flow of water in a watercourse;
 - mitigate flooding; or
 - establish new stream habitat.

4.0

28/07/2022
C313boro

Application requirements

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written assessment demonstrating how the proposal is consistent with the Yarra River Protection regional policy in the Planning Policy Framework (PPF) and meets the landscape character objectives of this schedule.
- A site survey plan, certified by a qualified surveyor, showing the location of all buildings and works and their distance from the banks of the Yarra River.
- A site plan showing all elevations and proposed building heights using Australian Height Datum (AHD) measured from ground level and including any proposed areas of cut and fill.
- A schedule of external materials and finishes.
- Diagrams showing the extent of shadow cast by buildings and works on:
 - The banks and water of the Yarra River between 11:00am and 2:00pm on 22 June.
 - Public open space between 11:00am and 2:00pm on 22 September.
- A visual impact assessment of buildings and works from the Yarra River itself, public open space, pedestrian and bicycle paths and other public viewing points as determined by the responsible authority.
- A landscaping plan, which includes:
 - The location and site area percentage of all existing and proposed hard or impermeable surfaces.
 - The type, location, quantity, height at maturity and botanical names of all proposed plants and details of any tree protection zones.
 - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of the Yarra River.
 - How natural landforms will be protected, including approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
 - How erosion will be managed and stability maintained or improved using soft landscaping and other techniques.
 - How the rate and quantity of stormwater leaving a property will be controlled and pollutants filtered using soft landscaping techniques.

An application to remove, destroy or lop vegetation must be accompanied by the following information, as appropriate:

- A written explanation justifying the removal of the vegetation supported by a suitably qualified arborist.
- A site plan and description of the:
 - position, height, quantity, trunk circumference, branch spread, slope of land and species of vegetation to be removed; and
 - location of proposed replanting.

5.0

28/07/2022
C313boro

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

For applications to remove, destroy or lop vegetation

- The reasons for removing vegetation and whether there are alternative options.
- The effect of the removal of vegetation on the natural landscape character, habitat protection, wildlife movement and long-term viability of remnant and revegetated areas.
- Whether sufficient vegetation and canopy trees of appropriate species are to be planted to replace the removal of the existing vegetation and mature canopy trees.
- Whether mature, dead and dying native vegetation should be maintained as habitat for native fauna or removed to avoid a risk or safety hazard.

For applications to construct a building or construct or carry out works

- Whether the location and extent of the buildings or works encroaches into the tree protection zone of mature canopy trees.
- The ability for proposed vegetation species to be matched to the local plant communities.
- Whether any proposed earthworks and changes in the topography of the river corridor will detrimentally impact its local natural landscape character and environmental values.
- Whether the proposed fencing allows for the free movement of wildlife, minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Whether buildings and works are sufficiently set back from the banks of the Yarra River to ensure that:
 - The river's natural flood and water course characteristics are not impacted.
 - The topography of the river and its banks are maintained as the dominant feature in the public views of the river corridor.
 - The existing riparian vegetation is protected and enhanced.
 - Views of development from the Yarra River and adjacent public open space, bicycle and shared paths and bridge crossings are minimised.
- The need for litter or gross pollutant traps at entry points to drains that serve large developments known to generate litter and sediment.
- Whether the design and location of boating infrastructure is consistent with the *Melbourne Water's Guidelines for Approval of Jetties* (Melbourne Water, 2011) and with any requirements, plans or guidelines prepared by Parks Victoria or other public land managers.

- Whether the design and location of shared pathways is consistent with *Shared Pathway Guidelines* (Melbourne Water, 2009) and with any requirements, plans or guidelines prepared by Parks Victoria or other public land managers.
- Whether private development results in the loss of, or creates inappropriate access to, the Yarra River and its parklands.
- Whether opportunities exist to co-locate new buildings with existing buildings on public land, particularly at the banks of the Yarra River.
- Whether buildings will protrude above the predominant tree canopy within a given area.
- The impact of any overshadowing by development:
 - on the banks and waterway of the Yarra River between 11:00am and 2:00pm on 22 June; and
 - on any public open space between 11:00am and 2:00pm on 22 September.
- Whether the scale, form, siting and design of new buildings, including materials, colours and finishes, are sensitively integrated with the natural landscape setting of the river corridor.
- Whether the spacing between buildings allows for the planting of appropriate vegetation and canopy trees to filter views of the development.
- Whether the existing and proposed vegetation fronting the Yarra River will filter the majority of views of the proposed development.

HERITAGE AND BUILT FORM OVERLAYS

43.01

31/07/2018
VC148

HERITAGE OVERLAY

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

14/01/2025
VC237

Permit requirement

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 or small second 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
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- 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 crossover.
- 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 or small second dwelling.
- Construct and install an electric vehicle charging station.
- Construct and install services normal to a building other than a dwelling or small second 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

21/11/2017
VC141

Places in the Victorian Heritage Register

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

14/12/2023
VC253

No permit required

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.
- To construct a building or construct or carry out works for a small second dwelling if all the following requirements are met:
 - The building height must not exceed 5 metres.
 - The building must be finished using muted tones and colours.

43.01-4

14/01/2025
VC237

Exemption from notice and review

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 crossover.
- 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 or a small second 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

24/01/2020
VC160

Statements of significance

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

31/07/2018
VC148

Heritage design guidelines

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

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

43.01-8

24/01/2020
VC160

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 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

31/07/2018
VC148

Use of a heritage place

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

31/07/2018
VC148

Aboriginal heritage places

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*.

16/05/2019
C293

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0

26/05/2022
C354boro

Application requirements

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:

Demolition and subdivision of 'significant', 'contributory' and 'non-contributory' places

- An application for a new building or works to accompany a demolition or subdivision application. The demolition or removal of any heritage place or part of a heritage place will not normally be approved until a replacement building or development is approved. Subdivision will not normally be approved prior to approval of any buildings or buildings envelopes for any resulting lots.
- A Demolition Management Plan and/or Conservation Management Plan.

Conservation and alterations

- Evidence of original details and finishes when they are proposed to be reinstated.

New buildings and additions

- For upper-storey additions:
 - A sight line diagram (see Clause 15.03-1L, Figure 1).
 - Oblique view diagrams (see Clause 15.03-1L, Figures 2-3).
- For new buildings, a streetscape elevation.

Archaeological sites

- A report prepared by an archaeologist where sites are known to contain archaeological material or have been identified as likely to contain archaeological material.

2.0

14/04/2022
C362boro

Heritage places

The requirements of this overlay apply to both the heritage place and its associated land.

BOROONDARA PLANNING SCHEME

2.1

20/03/2025
C415boro

HO1 to HO200

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	<i>Golf Links Estate, Camberwell</i> Includes Camberwell Rd (part), Christowel St (part), Fairmont Ave (part), Finsbury Way, Lansell Cres, Lyric Grove, Maple Cres, Marlborough Ave, Murdoch St (part), Orrong Cres, Tyrone St (part).	No	No	No	Yes	No	No	No	No
HO2	<i>House</i> 19 Anderson Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO3	<i>Ercildoune</i> 424 Auburn Road, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO4	<i>Xavier College</i> 135 Barkers Road, Kew	-	-	-	-	-	Yes Ref No H893	Yes	No
HO5	<i>House</i> 62 Barkers Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO6	<i>Preshil Junior School</i> 395 Barkers Road, Kew	-	-	-	-	-	Yes Ref No H72	Yes	No
HO7	<i>House</i> 492 Barkers Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO8	<i>Werona</i> 500 Barkers Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO9	<i>St Ouen</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	520 Barkers Road, Hawthorn East								
HO10	<i>Turinville</i> 53 Barnard Grove, Kew	Yes	No	No	Yes	No	No	Yes	No
HO11	<i>D'estaville</i> 7 Barry Street, Kew	-	-	-	-	-	Yes Ref No H201	Yes	No
HO12	<i>Marathon</i> 1 Beaconsfield Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO13	<i>House</i> 10 Beaconsfield Rd, Hawthorn East	No	No	No	Yes	No	No	No	No
HO14	<i>House</i> 12 Beaconsfield Rd, Hawthorn East	No	No	No	Yes	No	No	No	No
HO15	<i>Avondale</i> 22 Berkeley Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO16	<i>House (formerly Wakato)</i> 38 Berkeley Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO17	<i>Broughton Hall (formerly Tara)</i> 2 Berwick Street, Camberwell	-	-	-	-	-	Yes Ref No H1176	Yes	No
HO18	<i>Former ES&A Bank</i> 482 Riversdale Road, Hawthorn East	-	-	-	-	-	Yes Ref No H534	Yes	No
HO19	<i>Nachemo</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	997 Burke Road, Hawthorn East								
HO21	<i>House</i> 1093 Burke Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO22	<i>Ultima</i> 1099 Burke Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO23	<i>Former Invergowrie Lodge</i> 8 Palmer Place, Hawthorn	-	-	-	-	-	Yes Ref No H517	Yes	No
HO24	<i>Manresa Peoples Centre (Former ES&A Bank)</i> 343 Burwood Road, Hawthorn	-	-	-	-	-	Yes Ref No H516	Yes	No
HO25	<i>House</i> 759 Burwood Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO26	<i>Kardinia</i> 8 Calvin Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO28	<i>Camberwell Court House and Police Station</i> 311-317 Camberwell Rd, Camberwell	-	-	-	-	-	Yes Ref No H1194	Yes	No
HO29	<i>Canterbury Mansions</i> 208 Canterbury Road and 126 Maling Road, Canterbury	-	-	-	-	-	Yes Ref No H869	Yes	No
HO30	<i>Grace Park House</i> 19 Chrystobel Crescent, Hawthorn	-	-	-	-	-	Yes Ref No H730	Yes	No

BOROONDARA PLANNING SCHEME

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HO31	<i>Huntingtower</i> 106 Church Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO32	<i>Former Bridge Hotel</i> 155 Church Street, Hawthorn	-	-	-	-	-	Yes Ref No H449	Yes	No
HO33	<i>House</i> 27 Constance Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO34	<i>Second Church of Christ Scientist</i> 41 Cookson Street, Camberwell	-	-	-	-	-	Yes Ref No H1196	Yes	No
HO36	<i>Invergowrie</i> 21 Coppin Grove, Hawthorn	-	-	-	-	-	Yes Ref No H195	Yes	No
HO37	<i>Wimba</i> 235 Cotham Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO38	<i>Ross House (formerly Charleville)</i> 292 Cotham Road, Kew	-	-	-	-	-	Yes Ref No H202	Yes	No
HO39	<i>The Hawthorns</i> 5 Creswick Street, Hawthorn	-	-	-	-	-	Yes Ref No H457	Yes	No
HO40	<i>Mackillop House (Sisters of St Joseph)</i> 13 Havelock Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO41	<i>Riverton</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	22 Elm Street, Hawthorn								
HO42	<i>Hawthorn Railway Station Complex</i> 54 Burwood Road, Hawthorn	-	-	-	-	-	Yes Ref No H1566	Yes	No
HO43	<i>House</i> 10 Faircroft Avenue, Glen Iris	No	No	No	Yes	No	No	No	No
HO44	<i>Toxtern</i> 4 Fordholm Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO45	<i>Konsley</i> 7 Fordholm Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO46	<i>Glenferrie Railway Station Complex</i> 668 Glenferrie Road, Hawthorn	-	-	-	-	-	Yes Ref No H1671	Yes	No
HO47	<i>House</i> 568 Glenferrie Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO48	<i>Hawthorn Presbyterian Church</i> 580-582 Glenferrie Road, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO50	<i>Cottingley</i> 16 Glenroy Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO51	<i>Oxbridge House</i> 12 Grandview Grove, Hawthorn East	Yes	No	No	Yes	No	No	Yes	No
HO52	<i>Alloarmo</i>	-	-	-	-	-	Yes	Yes	No

BOROONDARA PLANNING SCHEME

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	5 Grattan Street, Hawthorn						Ref No H552		
HO53	<i>House</i> 15 Grattan Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO54	<i>Rotha</i> 29 Harcourt Street, Hawthorn East	-	-	-	-	-	Yes Ref No H510	Yes	No
HO63	<i>House</i> 3 Henrietta Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO64	<i>Boroondara General Cemetery, Springthorpe Memorial & Cussen Memorial</i> 430-440 High Street, Kew	-	-	-	-	-	Yes Ref No H49 & Ref No H522 & Ref No H2036	Yes	No
HO67	<i>National Australia Bank</i> 185 High Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO68	<i>Former Kew Post Office</i> 186 High Street, Kew	-	-	-	-	-	Yes Ref No H885	Yes	No
HO69	<i>Police Station and former Court House</i> 188 High Street, Kew	-	-	-	-	-	Yes Ref No H944	Yes	No
HO70	<i>Holy Trinity Church and Vicarage</i> 249-251 High Street, Kew	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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HO71	<i>Houses</i> 5 & 7 Higham Road, Hawthorn East Statement of Significance: 5 & 7 Higham Road, Statement of Significance, February 2021	No	No	Yes - Oak at rear of 5 Higham Road	Yes	No	No	No	No
HO72	<i>River House</i> 3/2 Hodgson Street, Kew	-	-	-	-	-	Yes Ref No H2455	Yes	No
HO73	<i>Wandara</i> 5 Hollingsworth Avenue, Hawthorn	No	No	No	Yes	No	No	No	No
HO74	<i>Oxford</i> 21 Isabella Grove, Hawthorn	-	-	-	-	-	Yes Ref No H196	Yes	No
HO75	<i>House</i> 96 Kilby Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO76	<i>Colinetta</i> 9 Kildare Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO77	<i>Shenton, also known as Immigration Reception Centre</i> 41 Kinkora Road, Hawthorn	-	-	-	-	-	Yes Ref No H788	Yes	No
HO78	<i>Talandoon</i> 10-12 Kooyongkoot Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO79	<i>Crossakiel</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	26 Kooyongkoot Road, Hawthorn								
HO80	<i>House</i> 45 Liddiard Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO81	<i>House</i> 51 Liddiard Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO82	<i>House</i> 71 Liddiard Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO83	<i>Glenferrie Oval Grandstand</i> 34 Linda Crescent, Hawthorn	-	-	-	-	-	Yes Ref No H890	Yes	No
HO84	<i>Maroondah</i> 22 Lisson Grove, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO85	<i>Cintra</i> 34 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO86	<i>Formerly Austral</i> 38 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO87	<i>Kinvonvie</i> 42 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO88	<i>Valetta</i> 47 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO89	<i>Formerly Roslyn</i> 58 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No

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HO90	<i>House</i> 65 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO91	<i>House</i> 12 MacDonald Street, Glen Iris	No	No	No	Yes	No	No	No	No
HO92	<i>Ivy Grange</i> 3 Malmsbury Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO93	<i>House</i> 11 Manningtree Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO94	<i>House</i> 81 Manningtree Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO95	<i>Glenferrie Primary School No. 1508</i> 78-98 Manningtree Road, Hawthorn	-	-	-	-	-	Yes Ref No H1630	Yes	No
HO96	<i>Carrigal</i> 18-20 Mason Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO97	<i>Craignethorn</i> 24-26 Mason Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO98	<i>Eyre Court</i> 2 Molesworth Street, Canterbury	-	-	-	-	-	Yes Ref No H817	Yes	No
HO99	<i>Frognall</i>	-	-	-	-	-	Yes	Yes	No

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	54 Mont Albert Road, Canterbury						Ref No H707		
HO100	<i>Former Dairy</i> 2 Neave Street, Hawthorn East First 5 metres from Myrniong Grove, including facade of the former dairy.	No	No	No	Yes	No	No	No	No
HO101	<i>Xavier Preparatory School (formerly Studley House, also known as Wren House)</i> 2 Nolan Avenue, Kew	-	-	-	-	-	Yes Ref No H789	Yes	No
HO102	<i>Formerly Goldthorns</i> 86 Normanby Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO103	<i>Formerly Ramornie</i> 24 Pakington Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO104	<i>Formerly Roseneath</i> 62 Peel Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO105	<i>Parlington</i> 46 Parlington Street, Canterbury	-	-	-	-	-	Yes Ref No H731	Yes	No
HO106	<i>Booroke</i> 131 Power Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO107	<i>Manor Court Lodge</i> 144 Power Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO108	<i>House</i>	No	No	No	Yes	No	No	No	No

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	174 Power Street, Hawthorn								
HO109	<i>Former Willsmere Hospital</i> 1-258 Wiltshire Drive and 21 Vaughan Crescent, Kew	-	-	-	-	-	Yes Ref No H861	Yes	No
HO110	<i>Auburn Primary School No. 2948</i> 51 Rathmines Road, Hawthorn East	-	-	-	-	-	Yes Ref No H1707	Yes	No
HO111	<i>Eyrecourt</i> 11 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO112	<i>House</i> 62 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO113	Summerlea 7 Summerlea Grove, Hawthorn (Also known as 76 Riversdale Road)	No	No	No	Yes	No	No	No	No
HO114	<i>House</i> 82 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO115	<i>House</i> 169 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO116	<i>Former Robin Boyd House</i> 664-666 Riversdale Rd, Camberwell	-	-	-	-	-	Yes Ref No H879	No	No
HO117	<i>McCartney House</i> 19 Rockingham Close, Kew	Yes	No	No	Yes	No	No	Yes	No

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HO118	<i>Ennis Mount</i> 5 Rosslyn Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO119	<i>Cullymont</i> 4 Selwyn Street , Canterbury	-	-	-	-	-	Yes Ref No H811	Yes	No
HO120	<i>'The Haven' homes for women</i> 2 Station Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO121	<i>'The Haven' homes for women</i> 2A Station Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO122	<i>'The Haven' homes for women</i> 4 Station Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO123	<i>'The Haven' homes for women</i> 4A Station Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO125	<i>House</i> 77 St Helens Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO126	<i>Boatsheds and Boat House, Studley Park</i> Studley Park	Yes	No	No	Yes	No	No	Yes	No
HO127	<i>Kanes footbridge, Studley Park</i> 114 Studley Park Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO128	<i>Raheen</i> 96 Studley Park Road, Kew	-	-	-	-	-	Yes Ref No H515	Yes	No
HO129	<i>House Swinton</i>	Yes	No	No	Yes	No	No	Yes	No

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	23 Swinton Avenue, Kew								
HO130	<i>Kawarau</i> 405 Tooronga Road, Hawthorn	-	-	-	-	-	Yes Ref No H489	Yes	No
HO131	<i>House</i> 12 Tower Place, Hawthorn East	No	No	No	Yes	No	No	No	No
HO132	<i>Auburn Railway Station Complex</i> 99 Auburn Road, Hawthorn East	-	-	-	-	-	Yes Ref No H1559	Yes	No
HO133	<i>Former Hawthorn Tramways Trust Depot</i> 8 Wallen Road, Hawthorn	-	-	-	-	-	Yes Ref No H876	Yes	No
HO134	<i>Villa Alba</i> 44 Walmer Street, Kew	-	-	-	-	-	Yes Ref No H605	No	No
HO135	<i>Otira</i> 73 Walpole Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO136	<i>Jefferies House</i> 7 Warwick Avenue, Surrey Hills	-	-	-	-	-	Yes Ref No H461	Yes	No
HO137	<i>House</i> 44 Wattle Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO138	<i>House</i> 60 Wattle Road, Hawthorn	No	No	No	Yes	No	No	No	No

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HO139	<i>Harelands</i> 5 Willsmere Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO140	<i>House and stable</i> 1-1A Wiseman St, Hawthorn East	No	No	No	Yes	No	No	No	No
HO141	<i>Zetland</i> 16 Yarra Street, Hawthorn	-	-	-	-	-	Yes Ref No H477	No	No
HO142	<i>Barrington Avenue Precinct, Kew</i> Includes Adeney Ave (part), Barrington Ave, Belmont Ave (part), 135 to 187 (odd) Cotham Road (Excluding 161 and 167 Cotham Road) Glenferrie Rd (part), Hillcrest Ave (part), Kent St, Marshall Ave, Park Hill Rd (part), Ridgeway Ave, Uvadale Gve.	No	No	No	Yes	No	No	No	No
HO143	<i>Barry Street Precinct, Kew</i> Includes A'Beckett St (part), Barry St, Cameron Ct, Fellows St (part), Fernhurst Gve (part), Holroyd St (part), Molesworth St (part), Princess St (part), Sir William St (part), Stawell St (part), Studley Ave (part), Wills St (part).	No	No	No	Yes	No	No	No	No
HO144	<i>Burke Road Precinct, Hawthorn East</i> Includes Burke Rd (part).	No	No	No	Yes	No	No	No	No

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HO145	<i>Maling Road Shopping Centre and Residential Environs, Canterbury</i> Includes Bryson St, Canterbury Rd (part), Church St, Claremont Cres, Cross St, Golding St, Highfield Rd (part), Leeds St, Logan St, Maling Rd (part), Margaret St, Matlock St (part), McGregor St, Milton St (part), Molesworth St, Prospect Hill Rd (part), Scott St, Short St, Selwyn St, Theatre Pl, Warburton Rd (part), Wattle Valley Rd (part), Wilandra Ave	No	Yes - Reredos at 2-2A Margaret Street, Canterbury only	No	Yes	No	No	No	No
HO146	<i>Central Gardens Precinct, Hawthorn</i> Includes Allen St, Falmouth St, Henry St (part), Malmsbury Street (part), Selbourne St (part), William St (part).	No	No	No	Yes	No	No	No	No
HO147	<i>Corsewall Close Precinct, Hawthorn East</i> Includes Corsewall Close	No	No	No	Yes	No	No	No	No
HO148	<i>Fairview Park Precinct, Hawthorn</i> Includes Fairview St (part), Riversdale Ct (part), Riversdale Rd (part), Wallen Rd (part).	No	No	No	Yes	No	No	No	No
HO149	<i>Glenferrie Hill Precinct, Hawthorn</i> Includes Callantina Rd (part), Glenferrie Rd (part) and Wellesley Rd (part).	No	No	No	Yes	No	No	No	No
HO150	<i>Glenferrie Road Precinct, Kew</i> Includes Barkers Rd (part), 4 Belmont Ave, Byron St, Charles St (part), Coleridge St, College Pde, College Pl, Cotham Rd (part), Doona Ave, Edgevale Rd, Franks	No	No	No	Yes	No	No	No	No

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	Gve, Gordon Ave, Glenferrie Rd (part, including 231 Barkers Rd), Highbury Gve, Lofts Ave (part), Rossfield Ave (part), Scott St, Selbourne Rd, Stansell St, St Johns Pde, Stirling St, Union St (part), Wellington St (part)								
HO151	<i>Harcourt Street Precinct</i> Includes Auburn Rd (part), Barkers Rd (part), Bayview Ave, Harcourt St (part), Higham Rd (part), Kildare St (part), Molesworth St, Rathmines Rd (part)	No	No	No	Yes	No	No	No	No
HO152	<i>Grace Park and Hawthorn Grove Precincts, Hawthorn</i> Includes Barkers Rd (part), Charles St, Chrystobel Cr, Clovelly Crt, Denham St (part), Elgin St (part), Eric St, Grove Rd (part), Hawthorn Gve, Hilda Cr, Lennox St (part), Kinkora Rd, Linda Cres (part), Mary St, Moore St, Power St (part), Ruby St.	No	No	No	Yes	No	No	No	No
HO154	<i>Lower Burke Road Precinct, Glen Iris</i> Includes Burke Road (part).	No	No	No	Yes	No	No	No	No
HO155	<i>Lyndhurst Crescent Precinct, Hawthorn</i> Includes Lyndhurst Cres (part).	No	No	No	Yes	No	No	No	No
HO156	<i>Morang Road Precinct, Hawthorn</i> Includes Evansdale Rd (part), Morang Rd (part), Rosney Street (part) Railway Place (part)	No	No	No	Yes	No	No	No	No
HO157	<i>Oswin Street Precinct, Kew</i>	No	No	No	Yes	No	No	No	No

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	Includes Glass St (part), Irymple Ave, Namur St, Oswin St.								
HO158	<i>Walmer Street Precinct, Kew</i> Includes Ettrick St (part), Hodgson St (part), Nolan Ave (part), Studley Park Rd (part), Walmer St.	No	No	No	Yes	No	No	No	No
HO159	<i>Prospect Hill Road Precinct, Camberwell</i> Avoca St, Berwick St, Brinsley Rd, Broadway, Cookson St (part), Craig Ave, Derby St, Fermanagh Rd, Holly St, Kasouka Rd, Kingsley St, Kintore St, Loch St, Lorne Gve, Moorehouse St, Palmerston St, Prospect Hill Rd (part), Riversdale Rd (part), Royal Cres, Russell St, Sefton Pl, Stanhope Gve, Thorn St, Trafalgar Rd, Victoria Rd, Wandin Rd, Waterloo St, East Camberwell Railway Station.	No	No	No	Yes	No	No	No	No
HO160	<i>Rathmines Grove Precinct, Hawthorn East</i> Includes Rathmines Gve (part), Rathmines Rd (part).	No	No	No	Yes	No	No	No	No
HO161	<i>Ryeburne Avenue Precinct, Hawthorn East</i> Includes Harcourt St (part), Kildare St (part), Rathmines Rd (part), Ryburne Ave.	No	No	No	Yes	No	No	No	No
HO162	<i>Sackville Street Precinct, Kew</i>	No	No	No	Yes	No	No	No	No

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	Includes 1185 to 1189 (odd) Burke Road, 6 to 14 (even) Grange Road (excluding 12 Grange Road); and 16 Rowland Street, Sackville Street (part), Wrixon Street (part).								
HO163	<i>St James Park Estate, Hawthorn</i> Includes Burwood Rd (part), Coppin Gve, Isabella Gve, Shakespeare Gve, Wyuna Ave, Yarra St (part).	No	No	No	Yes	No	No	No	No
HO164	<i>Leslie Street Precinct, Hawthorn</i> Includes Leslie Street Urquhart Estate, Hawthorn: includes The Boulevard (part), Elmie St (part), Goodall St (part), Lyall St (part), Swinburne Ave (part), Urquhart St. Oxley Road Precinct, Hawthorn: includes Burwood Rd (part), Camden Rd, Dean Ave, Edlington St (part), Elmie St (part), Goodall St (part), Hepburn St, Kent St, Launder St, Lyall St (part), Minona St, Oxley Rd, Paterson St, St Columbs St, Auburn Rd (part).	No	No	No	Yes	No	No	No, except for vicarage building of St Columbs Church at 448 Burwood Road, Hawthorn	No
HO165	<i>Wanganella (formerly St Johns Wood)</i> 8 Aird Street, Camberwell	Yes	No	No	Yes	No	No	Yes	No
HO166	<i>House</i> 39 Avenue Athol, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO168	<i>House</i> 27 Balwyn Road, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO169	<i>Fintona Girls School (formerly Tourmont)</i>	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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?
	79 Balwyn Road, Balwyn Front area 'Tourmont', i.e. driveway, 10 metres from northern edge of building, 3.5 metres setback west side of building, 2 metres setback from the south boundary of building.								
HO170	<i>House</i> 6 Bulleen Road, Balwyn North	Yes	No	No	Yes	No	No	Yes	No
HO171	<i>Linda House (former)</i> 19-21 Canterbury Road, Camberwell Front setback of land including 34 metres from the eastern boundary abutting Canterbury Road to 'Linda House' centred on building and 2.5 metres setback from north and west of building	Yes	No	Yes - Mature Moreton Bay Fig, Deodar Cedar and Eucalypt	Yes	No	No	Yes	No
HO172	<i>House</i> 31 Canterbury Road, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO174	<i>House</i> 10 Donna Buang Street, Camberwell	Yes	No	No	Yes	No	No	Yes	No
HO175	<i>Wiora</i> 21 Irilbarra Road, Canterbury	Yes	No	No	Yes	No	No	Yes	Yes
HO176	<i>House</i> 3 Kalonga Road, Balwyn North	Yes	No	No	Yes	No	No	Yes	No
HO177	<i>House</i> 43 Kireep Road, Balwyn	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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?
HO178	<i>Residence, formerly Colinton</i> 92 Mont Albert Road, Canterbury	-	-	-	-	-	Yes Ref No H1399	Yes	No
HO179	<i>Alzheimer Society of Victoria (House)</i> 98 Riversdale Road, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO180	<i>House</i> 16 Muswell Hill, Glen Iris	Yes	No	No	Yes	No	No	Yes	No
HO182	<i>Travencore (formerly Stanmore)</i> 608 Riversdale Road, Camberwell	Yes	No	No	Yes	No	No	Yes	No
HO183	<i>Astolat</i> 630 Riversdale Road, Camberwell	Yes	No	No	Yes	No	No	Yes	No
HO184	<i>Flats</i> 7 Rochester Road, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO185	<i>House</i> 9 Rochester Road, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO187	<i>House</i> 23 Sunnyside Avenue, Camberwell	Yes	No	No	Yes	No	No	Yes	No
HO188	<i>Stargazer House</i> 1/2 Taurus Street, Balwyn North	Yes	No	No	Yes	No	No	Yes	No
HO189	<i>House</i> 15 Walbundry Avenue, Balwyn North	Yes	No	No	Yes	Yes	No	Yes	No
HO190	<i>Medlow</i>	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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?
	42 Warrigal Road, Surrey Hills								
HO191	<i>Hassett's Estate & Environs, Camberwell</i> Includes Alta St, Catherine St, Cooba St, Cooalongatta Rd (part) Dorothea St, Elphin Gve (part), Hassett Ave, Griotte St, Quantock St, Maysia St, Prospect Hill Rd (part), Riversdale Rd (part).	No	No	No	Yes	No	No	No	No
HO192	<i>Reid Estate, Balwyn</i> Includes Barnsbury Rd (part), Belmont Ave (part), Bowley Ave, Chatfield Ave, Crest Ave, Highton Gve, Lydia St (part), Maleela Ave (part), Myambert Ave, Oakdale Ave, Palm Gve, Parkside Ave (part), Pelham PI (part), Ruhbank Ave, Salisbury St (part), Walsh St (part).	No	No	No	Yes	No	No	No	No
HO193	<i>Campion College (formerly Dalswaith)</i> 99 Studley Park Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO194	<i>Neville</i> 46 Fellows Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO195	<i>House</i> 1 Fellows Street, Kew and 99 Princess Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO196	<i>Mynda</i> 5 Molesworth Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO198	<i>House</i> 33 Uvadale Grove, Kew	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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?
HO200	<i>RSL (formerly Wilton)</i> 63 Cotham Road, Kew	Yes	No	No	Yes	No	No	Yes	No

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VC229

HO201 to HO400

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?
HO201	<i>Butleigh Wootton</i> 867 Glenferrie Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO202	<i>Formerly Melrose</i> 878 Glenferrie Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO203	<i>Comaques</i> 896 Glenferrie Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO205	<i>Formerly Mount View</i> 12 Selbourne Road, Kew (part)	Yes	No	No	Yes	No	No	Yes	No
HO206	<i>Formerly Tarring</i> 12 Selbourne Road, Kew (part)	Yes	No	No	Yes	No	No	Yes	No
HO207	<i>Evangeline</i>	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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?
	15 Hawthorn Grove, Hawthorn								
HO208	<i>House</i> 38 Hawthorn Grove, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO209	<i>Auburn Uniting Church Complex</i> 81 Oxley Road and 3 Hepburn Street, Hawthorn	-	-	-	-	-	Yes Ref No H2034	Yes	No
HO210	<i>Terrick Terricks</i> 11 Paterson Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO211	<i>Auburn House (formerly Malling Grove)</i> 4 Goodall Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO212	<i>Former Augustine Congregational Church</i> 492-500 Burwood Road, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO213	<i>Tay Creggan (Strathcona Baptist Girls School)</i> 30 Yarra Street, Hawthorn	-	-	-	-	-	Yes Ref No H2210	Yes	No
HO214	<i>Monda</i> 52 Prospect Hill Road, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO215	<i>Fairholme</i> 35 Prospect Hill Road, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO216	<i>Beechfield</i> 21 Trafalgar Road, Camberwell	Yes	No	No	Yes	No	No	Yes	No
HO217	<i>Baldene</i>	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	10 Sefton Place, Camberwell								
HO218	<i>House</i> 28 Studley Park Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO219	<i>Xavier Preparatory School (formerly Waverley)</i> 2 Nolan Avenue, Kew (part)	Yes	No	No	Yes	No	No	Yes	No
HO220	<i>West Hawthorn Precinct</i> Includes Barkers Rd, Barton St, Brook St (part), Burwood Rd (part), Church St (part), College St, Colvin Gve, Connell St, Creswick St (part), Denham St (part), Edgerton St, Elgin St (part), Fashoda St, Grove Rd (part), Hill St, Honour Ave, Lennox St (part), Lion St, Mason St (part), Melville St, Simpson Pl, Smart St, Spencer St, Randolph St, Wood St.	No	No	No	Yes	No	No	No	No
HO221	<i>Uniting Church and Uniting Church Hall</i> 21-25 Highbury Grove, Kew	Yes	No	No	Yes	No	No	Yes	No
HO222	<i>Former Hawthorn Fire Station</i> 66-68 William Street, Hawthorn	-	-	-	-	-	Yes Ref No H1327	Yes	No
HO223	<i>Villa Maria</i> 6 Studley Park Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO224	<i>Coorinyah</i> 150 Mont Albert Road, Canterbury	Yes	No	No	Yes	No	No	Yes	No
HO225	<i>Fairview Avenue Precinct, Camberwell</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	Fairview Avenue								
HO226	<i>Goodwin Street and Somerset Road Precinct, Glen Iris</i> Goodwin Street (part), Somerset Road (part), Glen Iris.	No	No	No	Yes	No	No	No	No
HO227	<i>Great Glen Iris Railway Junction Estate and Environs, Ashburton</i> Includes Dent St (part), Highgate Gve, Lexia St, Ward St.	No	No	No	Yes	No	No	No	No
HO228	<i>Holyrood Estate and Environs, Camberwell</i> Includes Dominic St, Highfield Rd (part), Holyrood St, Hunter Rd (part), Riversdale Rd (part), Wattle Valley Rd (part).	No	No	No	Yes	No	No	No	No
HO229	<i>Ross Street Precinct, Surrey Hills</i> Ross Street, Surrey Hills	No	No	No	Yes	No	No	No	No
HO230	<i>Toorak Estate and Environs, Glen Iris</i> Includes Burke Rd (part), Howitt St, Nepean St (part), Turner St (part).	No	No	No	Yes	No	No	No	No
HO231	<i>Riverside Estate and Environs, Balwyn North</i> Includes Bulleen Rd (part), Burke Rd (part), Cascade St (part), Doncaster Rd (part), Inverness Way, Kyora Pde, Riverside Ave (part), The Boulevard (part), Walbundry Ave.	No	No	No	Yes	No	No	No	No
HO232	<i>House</i> 57 Cotham Road, Kew	Yes	No	No	Yes	No	No	Yes	No
HO233	<i>Westella</i>	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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	39 Kinkora Road, Hawthorn								
HO234	<i>Formerly Pomeroy</i> 43 Sackville Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO235	<i>Carn Brae</i> 5 Harcourt Street, Hawthorn East	Yes	No	No	Yes	No	No	Yes	No
HO236	<i>Wembden</i> 40 Chrystobel Crescent, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO237	<i>House</i> 45 Chrystobel Crescent, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO238	<i>Ensignton</i> 51 Chrystobel Crescent, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO239	<i>House</i> 37 Mary Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO240	<i>Alverno</i> 53-55 Mary Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO241	<i>House</i> 8 Moore Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO242	<i>Cestria</i> 521 Glenferrie Road, Hawthorn	-	-	-	-	-	Yes Ref No H1924	Yes	No
HO243	<i>Hawthorn House (formerly Richmond House)</i> 1 Shakespeare Grove, Hawthorn	Yes	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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HO244	<i>Avon Court</i> 20 Shakespeare Grove, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO245	<i>House</i> 31 Shakespeare Grove, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO246	<i>Glucksburg</i> 9 Yarra Street, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO247	<i>Talana</i> 1 Harcourt Street, Hawthorn East	-	-	-	-	-	Yes Ref No H2382	Yes	No
HO248	<i>Murtoa (formerly Lexinton)</i> 7 Harcourt Street, Hawthorn East	Yes	No	No	Yes	No	No	Yes	No
HO249	<i>Kyverdale</i> 186-190 Auburn Road, Hawthorn	Yes	No	No	Yes	No	No	Yes	No
HO251	<i>Clemson House</i> 24 Milfay Avenue, Kew	-	-	-	-	-	Yes Ref No H2006	No	No
HO252	<i>Genazzano FCJ College</i> 285-315 Cotham Road, Kew	-	-	-	-	-	Yes Ref No H1902	Yes	No
HO255	168A Mont Albert Road, Canterbury	No	No	Yes	Yes	No	No	No	No
HO257	<i>Mountfield</i> 4-6 Mont Albert Rd and 35 Parlington Street, Canterbury Incorporated plan	No	No	Yes	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	"Mountfield" Estate Incorporated Plan, March 2005 (updated September 2011)								
HO258	<i>Shrublands</i> 16 Balwyn Road, Canterbury	-	-	-	-	-	Yes Ref No H2037	Yes	No
HO260	<i>Auburn Village Precinct, Hawthorn</i> Includes 96-152 and 87-137 Auburn Road, 549-669 and 574- 608 Burwood Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO261	<i>The Undertaker; Former Masonic Hall</i> 329 and 331 Burwood Road, Hawthorn	No	No	No	Yes	No	No		No
HO262	<i>Hawthorn Catholic Parish Office; Roman Catholic Church of the Immaculate Conception</i> 345 Burwood Road, Hawthorn and 347 Burwood Road, Hawthorn	No	No	No	Yes	No	No		No
HO263	<i>Camberwell Railway Station</i> 2R Cookson Street, Camberwell Incorporated plan Camberwell Railway Station Incorporated Plan 2007	No	No	Yes	Yes	No	No	No	No
HO264	<i>Balwyn Road Residential Precinct</i>	No	No	No	Yes	No	No	No	No
HO272	<i>Former Carn Brae, Glenwood, Wrixon House</i> 311 Barkers Road, Kew	No	No	No	Yes	No	No	No	No
HO273	<i>Eurobin</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	389 Barkers Road, Kew								
HO274	<i>Former Kew Fire Station</i> 35-37 Belford Road, Kew East	No	No	No	Yes	No	No	Yes	No
HO277	<i>House</i> 1 Bradford Avenue, Kew	No	No	No	Yes	No	No	No	No
HO278	<i>House</i> 1199 Burke Road, Kew	No	No	No	Yes	No	No	No	No
HO279	<i>House</i> 1205 Burke Road, Kew	No	No	No	Yes	No	No	No	No
HO280	<i>Gosmont</i> 1221 Burke Road, Kew	No	No	No	Yes	No	No	No	No
HO281	<i>Carbethon</i> 1223 Burke Road, Kew	No	No	No	Yes	No	No	No	No
HO282	<i>E A Watts House</i> 1291 Burke Road, Kew	No	No	No	Yes	No	No	No	No
HO283	<i>House</i> 46 Clyde Street, East Kew	No	No	No	Yes	No	No	No	No
HO284	<i>House</i> 161 Cotham Road, Kew	No	No	No	Yes	No	No	No	No
HO285	<i>House</i> 167 Cotham Road, Kew	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO287	<i>Sheringham Flats</i> 206-208 Cotham Road, Kew	No	No	No	Yes	No	No	No	No
HO288	<i>Tanfield Lee Flats</i> 221-229 Cotham Road, Kew	No	No	No	Yes	No	No	No	No
HO289	<i>Elsfield</i> 241 Cotham Road, Kew	No	No	No	Yes	No	No	No	No
HO290	<i>El Paso</i> 294 Cotham Road, Kew	No	No	No	Yes	No	No	No	No
HO291	<i>Cotham</i> 340 Cotham Road, Kew	No	No	No	Yes	No	No	No	No
HO293	<i>House</i> 2 Daracombe Avenue, Kew	No	No	No	Yes	No	No	No	No
HO297	<i>Former Mount Ephraim, Edgecombe, Mount Edgecombe</i> 26 Edgecombe Street, Kew	No	No	No	Yes	No	No	No	No
HO298	<i>House</i> 9 Eglinton Street, Kew	No	No	No	Yes	No	No	No	No
HO299	<i>Ashcapby</i> 162 Eglinton Street, Kew	No	No	No	Yes	No	No	No	No
HO300	<i>House</i> 20 Fernhurst Grove, Kew	No	No	No	Yes	No	No	No	No
HO303	<i>House</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	2 Gellibrand Street, Kew								
HO304	<i>House</i> 6 Gellibrand Street, Kew	No	No	No	Yes	No	No	No	No
HO307	<i>House</i> 77 Gladstone Street, Kew	No	No	No	Yes	No	No	No	No
HO308	<i>House</i> 12 Grange Road, Kew	No	No	No	Yes	No	No	No	No
HO309	<i>House</i> 53 Harp Road, East Kew	No	No	No	Yes	No	No	No	No
HO314	<i>House</i> 2 Howard Street, Kew	No	No	No	Yes	No	No	No	No
HO315	<i>House</i> 10 Howard Street, Kew	No	No	No	Yes	No	No	No	No
HO317	<i>House</i> 20 Howard Street, Kew	No	No	No	Yes	No	No	No	No
HO318	<i>Hermon</i> 2 John Street, Kew	No	No	No	Yes	No	No	No	No
HO319	<i>House</i> 16 John Street, Kew	No	No	No	Yes	No	No	No	No
HO320	<i>Lodge House</i> 24 Lister Street, East Kew	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO321	<i>Darley</i> 2 Merrion Grove, Kew	No	No	No	Yes	No	No	No	No
HO325	<i>Townhouses</i> 76 Molesworth Street, Kew	No	No	No	Yes	No	No	No	No
HO326	<i>Former R Haughton James House</i> 82 Molesworth Street, Kew	No	No	No	Yes	No	No	No	No
HO327	<i>House</i> 17 O'Shaughnessy Street, Kew	No	No	No	Yes	No	No	No	No
HO328	<i>Kloa, Formerly Castleman</i> 57 Pakington Street, Kew	No	No	No	Yes	No	No	No	No
HO329	<i>Terrace Houses</i> 66-68 Pakington Street, Kew	No	No	No	Yes	No	No	No	No
HO330	<i>Glen Rose</i> 70 Pakington Street, Kew	No	No	No	Yes	No	No	No	No
HO331	<i>Allathorn</i> 83 Pakington Street, Kew	No	No	No	Yes	No	No	No	No
HO332	<i>Waverley</i> 98 Pakington Street, Kew	No	No	No	Yes	No	No	No	No
HO333	<i>Itzehoe</i> 72 Peel Street, Kew	No	No	No	Yes	No	No	No	No
HO334	<i>Stawell and Princess</i> 33-35 Princess Street, Kew	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO336	<i>Inverkely, later Kiora and Baroona</i> 11 Redmond Street, Kew	No	No	No	Yes	No	No	No	No
HO337	<i>Howard Pettigrew House</i> 21 Redmond Street, Kew	No	No	No	Yes	No	No	No	No
HO338	<i>St Hilary's Church of England Vicarage</i> 34 Rowland Street, Kew	No	No	No	Yes	No	No	No	No
HO339	<i>House</i> 3 Second Avenue, Kew	No	No	No	Yes	No	No	No	No
HO340	<i>Monte Cristo, Charleton, Charlstan</i> 12 Stevenson Street, Kew	No	No	No	Yes	No	No	No	No
HO341	<i>House</i> 34 Stevenson Street, Kew	No	No	No	Yes	No	No	No	No
HO342	<i>R G Lawrence House and Flats</i> 13 Studley Avenue, Kew	No	No	No	Yes	No	No	No	No
HO343	<i>Krongold House</i> 25 Studley Park Road, Kew	No	No	No	Yes	No	No	No	No
HO344	<i>House</i> 44 Studley Park Road, Kew	No	No	No	Yes	No	No	No	No
HO345	<i>House</i> 52 Studley Park Road, Kew	No	No	No	Yes	No	No	No	No
HO346	<i>House</i> 75 Studley Park Road, Kew	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO347	<i>House</i> 89 Studley Park Road, Kew	No	No	No	Yes	No	No	No	No
HO348	<i>House</i> 12 Tara Avenue, Kew	No	No	No	Yes	No	No	No	No
HO349	<i>House and Shop</i> 1 Tennyson Street, Kew	No	No	No	Yes	No	No	No	No
HO350	<i>Myrtle Hill</i> 14 Vista Avenue, Kew	No	No	No	Yes	No	No	No	No
HO351	<i>Ormonde</i> 51 Walpole Street, Kew	No	No	No	Yes	No	No	No	No
HO352	<i>Birralie</i> 52 Walpole Street, Kew	No	No	No	Yes	No	No	No	No
HO353	<i>House</i> 63 Walpole Street, Kew	No	No	No	Yes	No	No	No	No
HO354	<i>Alice Bale House</i> 83 Walpole Street, Kew	No	No	No	Yes	No	No	No	No
HO355	<i>House</i> 84 Walpole Street, Kew	No	No	No	Yes	No	No	No	No
HO356	<i>Braeside</i> 96 Walpole Street, Kew	No	No	No	Yes	No	No	No	No
HO357	<i>House</i> 118 Walpole Street, Kew	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO362	<i>Bramber</i> 47 Wills Street, Kew	No	No	No	Yes	No	No	No	No
HO363	<i>Rab-Nov-Jea</i> 10 Wimba Avenue, Kew	No	No	No	Yes	No	No	No	No
HO364	<i>Thule Croft</i> 24 Albion Street, Surrey Hills	No	No	No	Yes	No	No	No	No
HO365	<i>Elderslie</i> 15 Alma Road, Camberwell	No	No	No	Yes	No	No	No	No
HO366	<i>Thomas Gaggin House</i> 25 Alma Road, Camberwell	No	No	No	Yes	No	No	No	No
HO367	<i>House</i> 33-35 Alma Road, Camberwell	No	No	No	Yes	No	No	No	No
HO368	<i>Glenholm, Ngarwee</i> 36-38 Alma Road, Camberwell	No	No	No	Yes	No	No	No	No
HO369	<i>Rathmore, Rokeby</i> 78 Athelstan Road, Camberwell	No	No	No	Yes	No	No	No	No
HO370	<i>House</i> 2 Beatrice Street, Glen Iris	No	No	No	Yes	No	No	No	No
HO371	<i>House</i> 87-87A Bowen Street, Camberwell	No	No	No	Yes	No	No	No	No
HO372	<i>House</i> 930-932 Burke Road, Deepdene	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO373	<i>House</i> 458 Camberwell Road, Camberwell	No	No	No	Yes	No	No	No	No
HO374	<i>Coolattie</i> 29 Canterbury Road, Camberwell	No	No	No	Yes	No	No	No	No
HO375	<i>Ericstane</i> 136 Canterbury Road, Canterbury	No	No	No	Yes	No	No	No	No
HO376	<i>House</i> 138 Canterbury Road, Canterbury	No	No	No	Yes	No	No	No	No
HO377	<i>House and Surgery</i> 169 Canterbury Road, Canterbury	No	No	No	Yes	No	No	No	No
HO380	<i>Ospringe</i> 24 Chaucer Crescent, Canterbury	No	No	No	Yes	No	No	No	No
HO381	<i>House</i> 44 Currajong Avenue, Camberwell	No	No	No	Yes	No	No	No	No
HO382	<i>Mallow</i> 33 Deepdene Road, Deepdene	No	No	No	Yes	No	No	No	No
HO383	<i>Xanadu</i> 119 Doncaster Road, North Balwyn	No	No	No	Yes	No	No	No	No
HO384	<i>Ingoda</i> 10 Fitzgerald Street, Balwyn	No	No	No	Yes	No	No	No	No
HO385	<i>House</i> 177 Glen Iris Road, Glen Iris	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO386	<i>House</i> 32 Hortense Street, Glen Iris	No	No	No	Yes	No	No	No	No
HO387	<i>House</i> 30 Howard Street, Glen Iris	No	No	No	Yes	No	No	No	No
HO388	<i>Westrailia</i> 27 Inglesby Road, Camberwell	No	No	No	Yes	No	No	No	No
HO389	<i>House</i> 6 Kitchener Street, Deepdene	No	No	No	Yes	No	No	No	No
HO390	<i>Colongulac</i> 11 Luena Road, North Balwyn	No	No	No	Yes	No	No	No	No
HO391	<i>Shenley Croft</i> 7-9 Mangarra Road, Canterbury	No	No	No	Yes	No	No	No	No
HO392	<i>House</i> 91 Maud Street, North Balwyn	No	No	No	Yes	No	No	No	No
HO393	<i>House</i> 1 Montana Street, Glen Iris	No	No	No	Yes	No	No	No	No
HO394	<i>Roystead</i> 51 Mont Albert Road, Canterbury	No	No	No	Yes	No	No	No	No
HO395	<i>Highton</i> 65 Mont Albert Road, Canterbury	No	No	No	Yes	No	No	No	No
HO396	<i>Haselmere</i> 137 Mont Albert Road, Canterbury	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO397	<i>House</i> 158 Mont Albert Road, Canterbury	No	No	No	Yes	No	No	No	No
HO398	<i>House</i> 7 Muriel Street, Glen Iris	No	No	No	Yes	No	No	No	No
HO400	<i>House</i> 622 Riversdale Road, Camberwell	No	No	No	Yes	No	No	No	No

2.3

20/03/2023
VC229

HO401 to 600

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?
HO401	<i>Warrawee</i> 626-628 Riversdale Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO402	<i>House</i> 660 Riversdale Road, Camberwell	No	No	No	Yes	No	No	No	No
HO403	<i>Kinnoul</i> 11-15 The Avenue, Surrey Hills	No	No	No	Yes	No	No	No	No
HO404	<i>House</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	899 Toorak Road, Camberwell								
HO405	<i>House</i> 931 Toorak Road, Camberwell	No	No	No	Yes	No	No	No	No
HO406	<i>House</i> 1292 Toorak Road, Camberwell	No	No	No	Yes	No	No	No	No
HO407	<i>House</i> 1293 Toorak Road, Camberwell	No	No	No	Yes	No	No	No	No
HO408	<i>House</i> 1/1297 Toorak Road, Camberwell	No	No	No	Yes	No	No	No	No
HO409	<i>Kirklands</i> 89 Union Road, Surrey Hills	No	No	No	Yes	No	No	No	No
HO411	<i>Gooloowan</i> 7 Victoria Avenue, Canterbury	No	No	No	Yes	No	No	No	No
HO412	<i>Tarawara/Tarawera</i> 13 Victoria Avenue, Canterbury	No	No	No	Yes	No	No	No	No
HO413	<i>House (formerly Surrey College, Norton)</i> 12 Vincent Street, Surrey Hills	No	No	No	Yes	No	No	No	No
HO414	<i>Guilford (Montserrat)</i> 26A Wandsworth Road, Surrey Hills	No	No	No	Yes	No	No	No	No
HO415	<i>The Knoll</i> 50 Wandsworth Road, Surrey Hills	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO416	<i>House</i> 294 Warrigal Road, Glen Iris	No	No	No	Yes	No	No	No	No
HO417	<i>House</i> 452 Warrigal Road, Ashburton	No	No	No	Yes	No	No	No	No
HO418	<i>Warranbine</i> 125 Wattle Valley Road, Camberwell	No	No	No	Yes	No	No	No	No
HO419	<i>House</i> 136 Whitehorse Road, Deepdene	No	No	No	Yes	No	No	No	No
HO420	<i>Pontefract House</i> 2 Hardwicke St, Balwyn (sometimes known as 199 Whitehorse Road)	No	No	No	Yes	No	No	No	No
HO421	<i>House</i> 127 Winmalee Road, Balwyn	No	No	No	Yes	No	No	No	No
HO422	<i>Banff</i> 150 Winmalee Road, Balwyn	No	No	No	Yes	No	No	No	No
HO423	<i>Idlewylde, Mary's Mount</i> 41-45 Yarrbat Avenue, Balwyn	No	No	No	Yes	No	No	No	No
HO424	<i>Streamshall (or Stramshall)</i> 173 Auburn Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO425	<i>House</i> 7 Elphin Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO426	<i>Struan</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	26 Lisson Grove, Hawthorn								
HO427	<i>Warrowitur</i> 1 Neave Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO428	<i>Rathgar</i> 149 Victoria Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO429	<i>Knottywood, Morley</i> 61 Wattle Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO430	<i>Avenel, later Tower House</i> 27 Anderson Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO431	<i>House</i> 4 Ardene Court, Hawthorn	No	No	No	Yes	No	No	No	No
HO432	<i>Norwood</i> 14 Auburn Grove, Hawthorn East	No	No	No	Yes	No	No	No	No
HO433	<i>House</i> 189 Auburn Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO435	<i>House</i> 193 Auburn Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO436	<i>Mount Gambier</i> 32 Barkers Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO437	<i>Houses</i> 238-244 Barkers Road, Hawthorn	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO439	<i>Devonia</i> 254 Barkers Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO440	<i>House</i> 408 Barkers Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO441	<i>Euroma</i> 2 Beaconsfield Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO442	<i>Victoria</i> 7 Beaconsfield Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO443	<i>The Gables</i> 1 Berkeley Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO444	<i>Springfield</i> 6 Berkeley Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO445	<i>Berniston</i> 9 Berkeley Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO446	<i>House</i> 54 Berkeley Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO447	<i>Coolagong, Kimbolton</i> 6 Brook Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO450	<i>Berwyn Flats</i> 7 Glenroy Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO452	<i>House</i> 15 Hastings Road, Hawthorn East	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO453	<i>Frederick House</i> 27 Illawarra Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO454	<i>Wexham, Inverary</i> 9 Kooyongkoot Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO455	<i>Glenagh, Brockley</i> 11 Kooyongkoot Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO456	<i>House</i> 16 Kooyongkoot Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO457	<i>Lennox Court, Park Court</i> 11 Lennox Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO458	<i>House</i> 19 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO459	<i>Prospect House</i> 75 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO460	<i>Hallbower</i> 83 Lisson Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO461	<i>House</i> 17 Mason Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO462	<i>White Lodge</i> 27 Mason Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO463	<i>St Andrews, Edradour</i> 37 Mayston Street, Hawthorn East	No	No	No	Yes	No	No	No	No

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HO464	<i>Alvah, Illawarra, Berwick</i> 51 Mayston Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO465	<i>Essington House</i> 67 Mayston Street, Hawthorn East	No	No	No	Yes	No	No	No	No
HO466	<i>Tasma</i> 7 Muir Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO467	<i>Stanmore</i> 19 Oak Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO468	<i>Rosedale, Fairmount Park</i> 25 Oak Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO469	<i>Hirschell, Ilfracombe, Cora Lynn</i> 184 Power Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO470	<i>House</i> 20 Rae Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO471	<i>Leongatha</i> 5 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO472	<i>House</i> 23 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO473	<i>Wanbuno</i> 37 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO474	<i>Glendale, Cleverdon House</i> 106 and 108 Riversdale Rd, Hawthorn	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO475	<i>Spreydon, Westley House</i> 110 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO476	<i>House</i> 6 Summerlea Grove, Hawthorn	No	No	No	Yes	No	No	No	No
HO477	<i>Noorat</i> 534 Tooronga Road, Hawthorn East	No	No	No	Yes	No	No	No	No
HO478	<i>Norrac</i> 23 View Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO479	<i>Surrey and Loyola</i> 73 and 75 Wattle Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO480	<i>Victoria Bridge</i> Barkers Road, Kew	-	-	-	-	-	Yes Ref No H374	Yes	No
HO481	<i>Hawthorn Bridge</i> Burwood Road, Hawthorn	-	-	-	-	-	Yes Ref No H50	Yes	No
HO482	<i>Rivoli Theatre</i> 200 Camberwell Road, Hawthorn East	-	-	-	-	-	Yes Ref No H1524	Yes	No
HO483	<i>St Marks Anglican Church</i> 1 Canterbury Road, Camberwell	-	-	-	-	-	Yes Ref No H2158	Yes	No
HO484	<i>Tram Verandah Shelter</i>	-	-	-	-	-	Yes	Yes	No

BOROONDARA PLANNING SCHEME

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	Cotham Road, Kew						Ref No H173		
HO485	<i>Former Kew Cottages (Kew Residential Services)</i> Princess Street, Stainer Street, Botanic Drive, Arbour Drive, Canopy Avenue, Brazier Grove, Collins Street, Lower Drive, Park Avenue, Linaker Place, Guest Close, Monterey Close, English Place, Main Drive, Holly Lane, Lower Drive North, Kew	-	-	-	-	-	Yes Ref No H2073	Yes	No
HO486	<i>Maternal and Child Health Centre</i> 21 Strathalbyn Street, Kew East	-	-	-	-	-	Yes Ref No H55	Yes	No
HO487	<i>Wallen Road Bridge</i> Wallen Road, Hawthorn	-	-	-	-	-	Yes Ref No H380	Yes	No
HO488	<i>Dights Mill Site</i> Off Yarra Boulevard, Kew	-	-	-	-	-	Yes Ref No H1522	Yes	No
HO489	<i>Burwood Road Precinct, Hawthorn</i> Includes Burwood Road (part)	No	No	No	Yes	No	No	No	No
HO490	<i>Swinburne Technical College, former Administrative Building</i> John Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO491	<i>Glenferrie Road Commercial Precinct, Hawthorn</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	Includes Glenferrie Road (part), Burwood Road (part) and Lynch Street (part), 1 Alfred Street, 2A Bowen Street, 2 Liddiard Street, Wakefield Street (part).								
HO492	<i>Lisson Grove Precinct, Hawthorn</i> Includes Lisson Grove (part)	No	No	No	Yes	No	No	No	No
HO493	<i>Manningtree Road Precinct, Hawthorn</i> Includes Manningtree Road (part)	No	No	No	Yes	No	No	No	No
HO494	<i>West Hawthorn Village Precinct</i> Includes Burwood Road (part)	No	No	No	Yes	No	No	No	No
HO497	<i>Camberwell Melbourne & Metropolitan Tram Board (MMTB) Depot</i> 160-170 Camberwell Road and 12-14 Council Street, Hawthorn East	Yes	No	No	Yes	No	No	Yes	No
HO498	<i>Charing Cross Buildings</i> 202-210 Camberwell Road, Hawthorn East	Yes	No	No	Yes	No	No	No	No
HO499	<i>Pepperell's Buildings</i> 217-223 Camberwell Road, Hawthorn East	Yes	No	No	Yes	No	No	No	No
HO500	<i>Simpson's Buildings</i> 222-232 Camberwell Road, Hawthorn East (also 481-491 Riversdale Road)	Yes	No	No	Yes	No	No	No	No
HO502	<i>Baptist Church</i> 432 Riversdale Road, Hawthorn East	Yes	No	No	Yes	No	No	No	No
HO503	<i>Dillon's Building</i>	Yes	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	493-503 Riversdale Rd, Camberwell (also numbered 554- 564 Burke Road)								
HO505	<i>Burke Road North Commercial and Transport Precinct, Camberwell</i> Includes Auburn Parade (part), Burke Road (part), Cookson Street (part).	Yes	No	No	Yes	Yes	No	No	No
HO506	<i>Camberwell Civic and Community Precinct</i>	Yes	No	No	Yes	No	No	Yes	No
HO516	<i>Sports ground including 1920s and 1930s grandstands</i> 420 Camberwell Road, Camberwell	No	No	No	Yes	No	No	No	No
HO520	<i>Kew Junction Commercial Heritage Precinct</i> Includes properties (in part) with frontages to High Street, Cotham Road and Fenton Way.	No	No	No	Yes	No	No	No	No
HO522	14-16 Princess Street, Kew	Yes	No	No	Yes	No	No	No	No
HO523	<i>Alexandra Gardens</i> 70 Cotham Road, Kew	No	No	No	Yes	No	No	No	No
HO525	<i>Clutha Estate Precinct, Kew</i> Includes Edgecombe Steet (part), Carson Street (part), Stevenson Street (part), Studley Park Road (part), Mackie Court, Younger Court	No	No	No	Yes	No	No	No	No
HO526	<i>Denmark Street Precinct, Kew</i> Includes Barkers Road (part), Denmark Street (part), Foley Street (part), O'Shaughnessy Street (part)	No	No	No	Yes	No	No	No	No
HO527	<i>High Street South Residential Precinct, Kew</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	Includes High Street (part), Barkers Road (part), Bowen Street, Henry Street, Miller Grove								
HO528	<i>Howard Street Precinct, Kew</i> Includes Howard Street (part)	No	No	No	Yes	No	No	No	No
HO529	<i>Queen Street Precinct, Kew</i> Includes Fenton Avenue (part), Gellibrand Street (part), Queen Street (part), Wellington Street (part)	No	No	No	Yes	No	No	No	No
HO530	<i>Yarra Boulevard Precinct, Kew</i> Includes Belvedere, Cameron Court, Carnsworth Avenue, Milfay Avenue, White Lodge Court, Yarra Street, Dunlop Avenue, Fenwick Street (part), Holroyd Street (part), Molesworth Street (part), Stawell Street (part), Studley Avenue (part), Yarravale Road (part), of Hume Street (part)	No	No	No	Yes	No	No	No	No
HO532	<i>Union Road Commercial Heritage Precinct</i>	No	No	No	Yes	No	No	No	No
HO534	<i>Union Road Residential Precinct</i> Part of Union Road, Surrey Hills	No	No	No	Yes	No	No	No	No
HO535	<i>Surrey Hills North Residential Precinct</i> Part of Chatham, Croydon, Empress, Guildford, Junction, Kingston, Mont Albert, Sir Garnet and West Roads; part of Sunbury Crescent, Surrey Hills and Canterbury	No	No	No	Yes	No	No	No	No
HO536	<i>Canterbury Hill Estate Precinct</i> Part of Albert, Bristol, Compton, Hocknell and Queen Streets;	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	part of Highfield, Prospect Hill, Riversdale and Wattle Valley Roads, Surrey Hills, Canterbury and Camberwell								
HO539	<i>Masonic Centre</i> 12 Prospect Hill Road, Camberwell	Yes	No	No	Yes	No	No	Yes	No
HO541	<i>Former Hawthorn Post Office</i> 378 Burwood Road, Hawthorn	Yes	No	No	Yes	No	No	No	No
HO542	<i>Former Hawthorn Returned Sailors and Soldiers Club</i> 605-607 Glenferrie Road, Hawthorn	Yes	No	No	Yes	No	No	No	No
HO543	<i>Shops</i> 773-779 Glenferrie Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO544	<i>Dental Surgery</i> 781 Glenferrie Road, Hawthorn	Yes	No	No	Yes	No	No	No	No
HO546	<i>House</i> 78 Wattle Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO547	<i>Kew Tram Depot</i> 55-75 Barkers Road, Kew	No	No	No	Yes	No	No	No	No
HO552	<i>Shop</i> 2 High Street, Kew	Yes	No	No	Yes	No	No	No	No
HO553	<i>House</i> 50 High Street, Kew	Yes	No	No	Yes	No	No	No	No
HO554	<i>House</i>	Yes	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	409 High Street, Kew								
HO555	<i>House</i> 31 Pakington Street, Kew	Yes	No	No	Yes	No	No	No	No
HO556	<i>House</i> 110 Princess Street, Kew	No	No	No	Yes	No	No	No	No
HO559	<i>Kew Jewish Centre (Bet Nachman Synagogue)</i> 53 Walpole Street, Kew	No	No	No	Yes	No	No	No	No
HO561	<i>Emulation Hall</i> 3 Rochester Road Canterbury	-	-	-	-	-	Yes Ref No H2298	Yes	No
HO563	<i>House</i> 52 Fellows Street, Kew	Yes	No	Yes	Yes	No	No	No	No
HO570	<i>Former Hawthorn Motor Garage</i> 735 Glenferrie Road Hawthorn	-	-	-	-	-	Yes Ref No H2296	Yes	No
HO571	<i>St Faiths Anglican Church</i> 8 Charles Street Glen Iris	-	-	-	-	-	Yes Ref No H2254	Yes	No
HO572	<i>Kew War Memorial</i> High Street and Cotham Road Kew	-	-	-	-	-	Yes Ref No H2035	Yes	No
HO580	<i>Robert Cochrane Kindergarten</i> 2A Minona Street, Hawthorn	-	-	-	-	-	Yes Ref No H2309	Yes	No

BOROONDARA PLANNING SCHEME

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?
HO588	27 Canterbury Road, Camberwell	No	No	No	Yes	No	No	No	No
HO589	<i>Former State Savings Bank and Residence</i> 1395 Toorak Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO590	<i>Grange Avenue Residential Precinct</i> 2-10 Grange Avenue, Canterbury	No	No	No	Yes	No	No	No	No
HO592	<i>Former Canterbury Brickworks housing</i> 52-58 Rochester Road, Canterbury	No	No	No	Yes	No	No	No	No
HO594	<i>Former Astolat Ladies' College</i> 59 Auburn Road, Hawthorn East	Yes	No	No	Yes	No	No	Yes	No
HO595	<i>Riversdale Hotel</i> 277 Auburn Rd, Hawthorn (footprint of 3-storey hotel and 2-storey addition to east end Riversdale Rd frontage, i.e. 1888 extent of property)	No	No	No	Yes	No	No	No	No
HO596	<i>Former butcher's shop and residence</i> 287-289 Auburn Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO597	<i>Gallery House</i> 23 Morang Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO598	<i>Makin House</i> 45 Morang Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO599	<i>Tower Hotel</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	686-690 Burwood Rd, Hawthorn East								

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HO601 to HO800

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?
HO601	<i>Herborn House</i> 88 Pleasant Road, Hawthorn East	Yes (due to retention of limewash; when repainting limewash should be used on cement/ concrete surfaces)	No	No	Yes	No	No	No	No
HO602	5 Eamon Court, Kew	No	No	No	Yes	No	No	No	No
HO603	<i>Timber Shop</i> 415-417 High Street, Kew	No	No	No	Yes	No	No	Yes	No

BOROONDARA PLANNING SCHEME

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?
HO604	<i>Austin Bramwell Smith House</i> 8 Orford Avenue, Kew	No	No	No	Yes	No	No	No	No
HO605	<i>House</i> 15 Deepdene Road, Deepdene	No	No	No	Yes	No	No	No	No
HO607	1363 Burke Road, Kew	No	No	No	Yes	No	No	No	No
HO608	<i>Scotch College</i> 491 Glenferrie Rd, Hawthorn Significant buildings with a 10 metre curtilage around each building envelope, including: ▪ Junior School (former Preparatory School), 1917 ▪ Callantina Lodge and Gates, 1917 ▪ Senior School and quadrangle, 1920-26 ▪ War Memorial Hall, 1920-26 ▪ School House and McMeckan House, 1925 ▪ Littlejohn Memorial Chapel, 1934-36 ▪ Health Centre and Residences, 1935-36 ▪ John Monash Gates and Lodge, 1936	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	- Arthur Robinson House, 1937-38 - Shergold Building (former Sub-Primary Building), 1956 Contributory buildings with a 10 metre curtilage around each building envelope, including: - Laundry (former rear wing of 'Glen House'), 1875 - TDP (former Gymnasium), 1920-26								
HO614	<i>House</i> 16 Victoria Avenue, Canterbury	No	No	No	Yes	No	No	No	No
HO616	<i>House</i> 300 Balwyn Road, Balwyn North	No	No	No	Yes	No	No	No	No
HO617	<i>House</i> 23-25 and part of 27 (TP 129339) Canterbury Road, Camberwell	Yes	No	No	Yes	No	No	No	No
HO619	<i>Houses</i> 29 & 31 Parkhill Road, Kew	No	No	No	Yes	No	No	No	No
HO620	<i>House</i> 7 Leura Grove, Hawthorn East	No	No	No	Yes	No	No	No	No
HO621	<i>Hoddle Survey Tree</i> , Kew Golf Club 120B Belford Road, Kew East	-	-	-	-	-	Yes Ref No H2340	Yes	No

BOROONDARA PLANNING SCHEME

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?
HO622	<i>Camberwell Tram Substation</i> 30 Station Street, Camberwell	-	-	-	-	-	Yes Ref No H2324	Yes	No
HO623	<i>Surrey Gardens</i> 88-90 Union Road, Surrey Hills	No	No	No	Yes	No	No	No	No
HO624	<i>Former Surrey College</i> 17-19A Barton Street, Surrey Hills	No	No	No	Yes	No	No	No	No
HO626	<i>Holy Redeemer Church Parish Hall</i> 305-307 Mont Albert Road, Surrey Hills	No	No	No	Yes	Yes	No	No	No
HO627	<i>House</i> 1 Montrose Street, Surrey Hills	No	No	No	Yes	No	No	No	No
HO629	<i>Kylemore Flats</i> 52 Union Road, Surrey Hills	No	No	No	Yes	No	No	No	No
HO630	<i>House</i> 26 Weybridge Street, Surrey Hills	No	No	No	Yes	No	No	No	No
HO631	<i>House</i> 627 Whitehorse Road, Surrey Hills	No	No	No	Yes	No	No	No	No
HO632	<i>Leumascot</i> 5 Windsor Crescent, Surrey Hills	No	No	No	Yes	No	No	No	No
HO634	<i>Surrey Hills Redvers - Kennealy Street Residential Precinct</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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	Redvers Street and part of Kennealy Street in Surrey Hills								
HO642	<i>Units</i> 2 Barkers Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO643	<i>Fairmount Park Estate Precinct</i> Part of Barkers Rd, Elm St Findon St, Myrtle St and Oak St, Hawthorn	No	No	No	Yes	Yes	No	No	No
HO644	<i>Houses</i> 2 to 8 Pine Street, Hawthorn	No	No	No	Yes	No	No	No	No
HO645	<i>Houses</i> 29 to 39 Mason Street, Hawthorn	Yes	No	No	Yes	No	No	No	No
HO646	<i>Creswick Estate Precinct</i> Part of Calvin Street, Creswick Street and Mason Street, Hawthorn	No	No	No	Yes	Yes - original fences	No	No	No
HO647	<i>Flats</i> 4 Grattan Street, Hawthorn	No	No	Yes	Yes	No	No	No	No
HO665	<i>House</i> 9 Auburn Grove, Hawthorn East	No	No	Yes	Yes	No	No	No	No
HO666	<i>Former garage</i> 51 Barkers Street, Kew	Yes	No	No	Yes	No	No	Yes	No
HO667	<i>House</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	68 Riversdale Road, Hawthorn								
HO668	<i>House</i> 123 Riversdale Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO670	<i>Surrey Hills English Counties Residential Precinct</i> Part of Albion and Thames streets; part of Canterbury, Durham, Essex, Kent, Middlesex, Norfolk and Suffolk roads; part of Arundel Crescent in Surrey Hills	No	No	No	Yes	No	No	No	No
HO671	<i>Union Road South Residential Precinct</i> Part of Union Road; part of Bona Vista and Warwick avenues and part of The Avenue in Surrey Hills	No	No	No	Yes	No	No	No	No
HO675	<i>Chandler Highway Bridge</i> Chandler Highway, Kew	-	-	-	-	-	Yes Ref No H2354	Yes	No
HO677	<i>Braeside</i> 6 Alexandra Avenue, Canterbury	No	No	No	Yes	No	No	No	No
HO678	<i>St David's Uniting Church</i> 902A Burke Road, Canterbury	No	No	No	Yes	Yes - brick fence	No	No	No
HO679	<i>Canterbury Ambulance Station</i> 61 Canterbury Road, Canterbury	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO680	<i>Canterbury Presbyterian Church</i> 146 Canterbury Road, Canterbury	Yes	No	No	Yes	Yes - rear hall and front boundary wall	No	No	No
HO681	<i>Victorian shops</i> 351-359 Canterbury Road, Canterbury & Surrey Hills	No	No	No	Yes	No	No	No	No
HO682	<i>Electrical Distribution Substations</i> 190A Canterbury Road, 26A Myrtle Road, Canterbury & 6 Harp Road, Kew	No	No	No	Yes	No	No	No	No
HO683	<i>Kaipoi</i> 35 Chatham Road, Canterbury	No	No	No	Yes	No	No	No	No
HO684	<i>Sassafrass</i> 13 Mangarra Road, Canterbury	No	No	No	Yes	No	No	No	No
HO685	<i>Canterbury Girls School</i> 16 Mangarra Road, Canterbury	No	No	Yes - Moreton Bay Figs	Yes	No	No	No	No
HO686	<i>Hawthorn House</i> 23 Mangarra Road, Canterbury	No	No	No	Yes	No	No	No	No
HO688	<i>Willy's Store (A & J Sullivans)</i> 35 Matlock Street, Canterbury	No	No	No	Yes	No	No	Yes	No
HO689	<i>Ballantyne House</i> 67 Mont Albert Road, Canterbury	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO691	<i>Gunyah, First Canterbury Troop Scout Hall & Camberwell North Guide Hall</i> 25 Shierlaw Avenue & 1A Faversham Road, Canterbury	No	No	No	Yes	Yes - Guide Hall front fence	No	No	No
HO692	<i>Hollinshed House</i> 2 Snowden Place, Canterbury	No	No	No	Yes	No	No	No	No
HO693	<i>Yarrola</i> 10 The Ridge, Canterbury	No	No	No	Yes	No	No	No	No
HO694	<i>House</i> 14 The Ridge, Canterbury	No	No	No	Yes	No	No	No	No
HO695	<i>Driffville</i> 15 View Street, Canterbury	No	No	No	Yes	No	No	No	No
HO696	<i>East Camberwell Substation</i> 2B Warburton Road, Canterbury	No	No	No	Yes	No	No	No	No
HO697	<i>Elaine</i> 37 Wentworth Avenue, Canterbury	No	No	No	Yes	No	No	No	No
HO698	<i>Norway</i> 2 Woodstock Street & 33A Parlington Street, Canterbury	No	No	No	Yes	Yes - stables	No	No	No
HO699	<i>Canterbury Road Commercial Precinct, Canterbury</i> Includes Canterbury Rd (part)	No	No	No	Yes	Yes - garage & front fence at No. 114A	No	No	No

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HO700	<i>Griffin Estate & Environs Precinct, Canterbury</i> Includes Canterbury Road, Chaucer Crescent, Dudley Parade, Keats Street, Marlow Street, Myrtle Road (all part)	No	No	No	Yes	Yes - front fences at 5 & 8 Chaucer Cr	No	No	No
HO701	<i>Matlock Street Precinct, Canterbury</i> Includes Prospect Hill Rd (part), Spencer Rd (part), Bow Cr, Matlock St (part), Myrtle Rd (part), Marden St (part), Warburton Rd (part), Carinda Rd, Maling Road (part)	No	No	No	Yes	No	No	No	No
HO702	<i>Parlington Estate Residential Precinct, Canterbury, Hawthorn East & Camberwell</i> Includes Allenby Rd, Gascoyne St (part), Parlington St (part), Torrington St (part), Burke Rd (part), Canterbury Road (part)	No	No	Yes - 5 & 11 Allenby Rd; 9 Canterbury Rd; 4, 5, 10, 11, 25, 29, 40 & 44 Parlington Street	Yes	No	No	No	No
HO703	<i>Rochester Road Precinct, Canterbury</i> Includes Rochester Rd (part)	No	No	No	Yes	No	No	No	No
HO705	<i>Trinity Grammar School</i> 40 & 41 Charles Street, Kew	No	No	Yes - Southern Magnolia, Canary Island Palm, Illawarra Flame Tree, Sycamore and Brush	Yes	No	No	No	No

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				Box at Roberts House					
HO710	<i>Neath</i> 486 Burke Rd, Camberwell	No	No	No	Yes	Yes - front fence	No	No	No
HO711	<i>Oswaldene</i> 544 Burke Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO712	<i>Carrington Hall</i> 832-834 Burke Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO713	<i>Camberwell Fire Station & Flats (former)</i> 575 Camberwell Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO714	<i>Conference Hall (Open Brethren)</i> 25 Cookson St, Camberwell	No	No	No	Yes	No	No	No	No
HO715	<i>Nazareth House</i> 16 Cornell St, Camberwell	No	No	Yes - mature Canary Island Palms, Norfolk Island Pine & remnant Cypress hedge	Yes	Yes - front gaes & associated fence, gatehouse & grotto	No	No	No
HO716	<i>Hartwell Railway Station (formerly Walhalla Station)</i> Fordham Ave, Camberwell	No	No	No	Yes	No	No	No	No

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HO717	<i>Hartwell Hill Shops</i> 112-128 Fordham Ave, Camberwell	Yes	No	No	Yes	No	No	No	No
HO718	<i>Duplex</i> 27-29 George St, Camberwell	No	No	No	Yes	Yes - front fence & garage	No	No	No
HO719	<i>East Camberwell Baptist Church</i> 137-139 Highfield Rd, Camberwell	No	No	No	Yes	Yes - brick fence	No	No	No
HO720	<i>House</i> 30 Hunter Rd, Camberwell	Yes	No	No	Yes	No	No	No	No
HO721	<i>Hartwell Primary School</i> 4 Merton St, Camberwell	No	No	No	Yes	No	No	No	No
HO722	<i>Camberwell High School</i> 100A Prospect Hill Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO723	<i>Hatfield Flats</i> 576 Riversdale Rd, Camberwell	No	No	No	Yes	Yes - front fence, garages	No	No	No
HO724	<i>Siena Convent</i> 815 Riversdale Rd, Camberwell	No	Yes - Chapel only	Yes - mature Italian Cypress	Yes	No	No	No	No
HO725	<i>South Camberwell Methodist Church (former)</i> 906-912 Toorak Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO726	<i>Halcyon</i>	No	No	No	Yes	Yes - front fence	No	No	No

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	927 Toorak Rd, Camberwell								
HO727	<i>Harwin Lodge</i> 930 Toorak Rd, Camberwell	No	No	No	Yes	No	No	No	No
HO729	<i>Riversdale Railway Station & Signal Box</i> 2R Wandin Road, Camberwell	No	No	No	Yes	No	No	No	No
HO731	<i>Bellett Street Precinct</i> Includes Canterbury Rd (part)	No	No	No	Yes	No	No	No	No
HO732	<i>Camberwell Links Estate Precinct</i> Includes Christowel Street (part), 638-646 Riversdale Rd (part), Westbourne Grv (part) and Stodart St (part)	No	No	No	Yes	No	No	No	No
HO733	<i>Camberwell Road Estate Precinct</i> Includes Camberwell Rd (part) and Acheron Ave (part)	Yes - 470 Camberwell Rd	No	Yes - mature oak at 470 Camberwell Rd	Yes	Yes - original front fences	No	No	No
HO734	<i>Hampton Grove Precinct</i> Includes Hampton Grv, Glyndon Rd 123 & 128-132 Wattle Valley Rd	No	No	No	Yes	Yes - original front fences	No	No	No
HO735	<i>Harley Estate & Environs Precinct</i> Includes Cooloongatta Rd (part), Bonville Ct (part), Fordham Ave (part) and Gowar Ave (part)	No	No	No	Yes	Yes - original front fences	No	No	No
HO736	<i>Lockhart Street Precinct</i>	No	No	No	Yes	No	No	No	No

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	Includes Lockhart St and Riversdale Rd (part)								
HO737	<i>Milverton Street Precinct</i> Includes Milverton Street (part)	No	No	No	Yes	No	No	No	No
HO738	<i>South Camberwell Commercial Precinct</i> Includes Toorak Rd (part)	No	No	No	Yes	No	No	No	No
HO739	<i>St John's Wood & Sage's Paddock Precinct</i> Includes Avenue Rd (part) and St Johns Ave (part)	No	No	No	Yes	No	No	No	No
HO743	<i>House</i> 3 Wilson Street, Surrey Hills	No	No	No	Yes	No	No	No	No
HO744	<i>Duplex</i> 70 Riversdale Road, Hawthorn	No	No	No	Yes	Yes	No	No	No
HO745	<i>Rylah Residence and Veterinary Hospital (former)</i> 15 Victor Avenue, Kew	Yes	No	No	Yes	No	No	No	No
HO749	<i>War Service Homes Precinct</i> Includes Acacia St	No	No	No	Yes	No	No	No	No
HO757	<i>St Barnabas Anglican Church</i> 86 Balwyn Road, Balwyn Statement of significance:	No	No	No	Yes	No	No	No	No

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	<i>St Barnabas' Anglican Church Statement of Significance</i>								
HO758	<i>House</i> 224 Belmore Road, Balwyn AKA, 4 Collins Court, Balwyn Statement of Significance: <i>Fankhauser Farmhouse Statement of Significance</i>	No	No	No	Yes	No	No	No	No
HO759	<i>Maisonettes</i> 950 Burke Road, Deepdene Statement of Significance: <i>950 Burke Road, Balwyn Statement of Significance</i>	No	No	No	Yes	No	No	No	No
HO760	<i>Palace Balwyn Cinema</i> 231 Whitehorse Road, Balwyn Statement of Significance: <i>Palace Balwyn Cinema Statement of Significance</i>	No	No	No	Yes	No	No	No	No
HO761	<i>House</i> 192 Doncaster Road, Balwyn North Statement of Significance: <i>192 Doncaster Road, Balwyn North Statement of Significance</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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HO762	Houses (pair) 17-19 King Street, Balwyn Statement of Significance: <i>17-19 King Street, Balwyn Statement of Significance</i>	No	No	No	Yes	No	No	No	No
HO764	House 48 Narrak Road, Balwyn Statement of Significance: <i>48 Narrak Road, Balwyn Statement of Significance</i>	No	No	No	Yes	No	No	No	No
HO766	House 146-148 Winmalee Road, Balwyn Statement of Significance: <i>146-148 Winmalee Road, Balwyn Statement of Significance</i>	No	No	Yes	Yes	No	No	No	No
HO767	<i>Maud Street Maisonette Precinct</i> 19-33a Maud Street, Balwyn North 28-34a Maud Street, Balwyn North Statement of Significance: <i>Maud Street Maisonette Precinct Statement of Significance</i>	No	No	No	Yes	No	No	No	No
HO768	<i>Balwyn Village Commercial Precinct</i> 208-308 Whitehorse Road, Balwyn	No	No	No	Yes	No	No	No	No

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	347-377; 397-425 Whitehorse Road, Balwyn Statement of Significance: <i>Balwyn Village Commercial Precinct Statement of Significance</i>								
HO771	<i>Miami Flats</i> 7-11 Miami Street, Hawthorn East	No	No	No	Yes	Yes - Garages	No	No	No
HO774	<i>Cranmore Estate and Environs Precinct</i> Barkers Road (part), Elphin Grove (part), Liddiard Street (part), Churchill Grove, Salisbury Grove, Sercombe Grove, York Street, Bowen Street, Vicars Street (part), Carrington Street, Percy Street, Moir Street, Haines Street, Bell Street, Edward Street, Hull Street, and Johnson Street (part), Hawthorn. Statement of significance: <i>Cranmore Estate and Environs Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO775	<i>Glenferrie and Riversdale Roads Commercial Precinct</i> Glenferrie Road (part) and Riversdale Road (part) Statement of significance:	No	No	No	Yes	No	No	No	No

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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?
	<i>Glenferrie and Riversdale Roads Commercial Precinct Statement of Significance, August 2020</i>								
HO776	Riversdale Reserve Precinct Robinson Road (part) and Illawarra Road (part) Statement of significance: <i>Riversdale Reserve Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO777	Riversdale Village Precinct Auburn Road (part) and Riversdale Road (part) Statement of significance: <i>Riversdale Village Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	Yes - 269 Auburn Road front fence	No	No	No
HO778	Rookery Estate Precinct Austin Street (part), Evansdale Road (part), Majore Street (part), and Yarra Grove (part) Statement of significance: <i>Rookery Estate Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO779	Victory Estate Precinct Power Street (part) and Gibney Street (part) Statement of significance:	No	No	No	Yes	Yes - front fences at 2, 3, 4, 6, 7, 8 Gibney Street and 140 Power Street	No	No	No

BOROONDARA PLANNING SCHEME

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?
	<i>Victory Estate Precinct Statement of Significance, August 2020</i>								
HO780	<i>Violet Grove and Environs Precinct</i> Manchester Street (part), Violet Grove, Marian Street and Riversdale Road (part) Statement of significance: <i>Violet Grove and Environs Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO781	<i>Ardene Court Flats</i> 11 Ardene Court, Hawthorn Statement of significance: <i>Ardene Court Flats Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO782	<i>Norwood Terrace</i> 209-217 Auburn Road, Hawthorn Statement of significance: <i>Norwood Terrace Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO783	<i>Grant Dorman (Former Lion Rubber Works)</i> 544 Burwood Road, Hawthorn Statement of significance: <i>Former Lion Rubber Works, Grant Dorman Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO784	<i>Dickie House</i> 6 Fairview Street, Hawthorn Statement of significance: <i>Dickie House Statement of Significance, August 2020</i>	No	No	Yes - two mature eucalypts at the edge of the backyard lawn	Yes	No	No	No	No
HO785	<i>Melbourne Croquet Club (Former Glenferrie Hill Recreation Club)</i> 37-41 Glen Street, Hawthorn Statement of significance: <i>Melbourne Croquet Club (Former Glenferrie Hill Recreation Club) Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO786	<i>St Joseph's Catholic School (formerly St John's School)</i> 571 Glenferrie Road, Hawthorn Statement of significance: <i>St Joseph's Catholic School (formerly St John's School) Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO787	<i>Edwardian Shops</i> 556-558 Glenferrie Road, Hawthorn Statement of significance: <i>Edwardian Shops, 556-558 Glenferrie Road, Hawthorn Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO788	<i>Victorian shops</i> 817-821 Glenferrie Road, Hawthorn Statement of significance: <i>Victorian Shops, 817-821 Glenferrie Road, Hawthorn Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO789	<i>Woodford</i> 14 Glenroy Road, Hawthorn Statement of significance: <i>Woodford Statement of Significance, August 2020</i>	No	No	Yes - Oak trees in front setback	Yes	No	No	No	No
HO791	<i>Farey Brothers' Bakery (former)</i> 20-26 Liddiard Street, Hawthorn Statement of significance: <i>Farey Brothers' Bakery (former) Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO792	<i>Yarralands Flats</i> 150 Power Street, Hawthorn Statement of significance: <i>Yarralands Flats Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO793	<i>Shrine of St Anthony church complex</i> 180-184 Power Street, Hawthorn Statement of significance: <i>Shrine of St Anthony church complex</i> <i>Statement of Significance, August 2020</i>	No	Yes - Basilica only	Yes - mature peppercorns	Yes	Yes - former stables	No	No	No
HO794	<i>Eira</i> 13-15 Wellesley Road, Hawthorn Statement of significance: <i>Eira Statement of Significance, July 2021</i>	No	No	No	Yes	No	No	No	No
HO795	<i>Methodist Ladies' College</i> 207 Barkers Road, Kew Statement of significance: <i>Methodist Ladies' College Statement of Significance, June 2020</i>	No	No	Yes - Two mature Elms at entrance of the school, Algerian Oak (boundary of Bakers Road), English Oak (boundary of Glenferrie Road) and Atlantic Cedar (front gardens)	Yes	Yes - Krome Memorial Gates & Fence and 'Crom'/Centenary Building fence & gates	No	No	No
HO798	<i>Bradford Estate Precinct</i>	No	No	No	Yes	Yes	No	No	No

BOROONDARA PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	2, 4, 6, 8, 10, 14 and 18 (even) Bradford Avenue, Stoke Avenue, Kew Statement of significance: <i>Bradford Estate Precinct Statement of Significance, December 2020</i>					Front fences at 2, 10, 18 Bradford Ave and garage at 2 Bradford Ave			
HO799	<i>Banool Estate Precinct</i> Banool Avenue Statement of significance: <i>Banool Estate Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO800	<i>Burke Road Commercial Precinct</i> Burke Road (part) Statement of significance: <i>Burke Road Commercial Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No

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HO801 to HO1000

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?
HO802	<i>Cotham Village Commercial Precinct</i> Cotham Road (part), Glenferrie Road (part) Statement of significance: <i>Cotham Village Commercial Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO804	<i>Iona Estate Residential Precinct</i> Berkeley Court, Studley Park Road (part) Statement of significance: <i>Iona Estate Residential Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	Yes Front fences at 77 Studley Park Rd; 3, 7 Berkeley Court Garages at 77 Studley Park Rd; 2, 3, 5, 7 Berkeley Court	No	No	No
HO805	<i>May Street Precinct</i> May Street, Wellington Street (part) Statement of significance: <i>May Street Precinct Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO806	<i>Thornton Estate Residential Precinct</i> Thornton Street (part), Stevenson Street (part) Statement of significance:	No	No	No	Yes	Yes Front fences at 46 and 19 Thornton St	No	No	No

BOROONDARA PLANNING SCHEME

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?
	<i>Thornton Estate Residential Precinct Statement of Significance, January 2022</i>								
HO807	<i>Urangeline (former Edzell, Mildura)</i> 349 Barkers Road (part), Kew Statement of significance: <i>Urangeline (former Edzell, Mildura) Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO808	<i>William Carey Chapel</i> 349 Barkers Road (part), Kew Statement of significance: <i>William Carey Chapel Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO809	<i>Lindum</i> 315 Barkers Road, Kew Statement of significance: <i>Lindum Statement of Significance, August 2020</i>	No	No	Yes – Canary Island palm	Yes	No	No	No	No
HO810	<i>Shops</i> 1139-1141 Burke Road, Kew Statement of significance: <i>Shops Statement of Significance (1139-1141 Burke Road Kew) August 2020</i>	No	No	No	Yes	No	No	No	No
HO811	<i>Grange Hill (former Hillsbury)</i>	No	No	No	Yes	No	No	No	No

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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?
	301 Cotham Road (part), Kew Statement of significance: <i>Grange Hill (former Hillsbury) Statement of Significance, August 2020</i>								
HO812	<i>Omro</i> 230 Cotham Road, Kew Statement of significance: <i>Omro Statement of Significance, August 2020</i>	No	No	Yes – Canary Island Date Palm	Yes	No	No	No	No
HO813	<i>Residence</i> 264 Cotham Road, Kew Statement of significance: <i>Residence Statement of Significance (264 Cotham Road Kew) August 2020</i>	No	No	No	Yes	Yes – Brick wall with arches opening in side setback	No	No	No
HO816	<i>Burwood</i> 4 Edgecombe Street, Kew Statement of significance: <i>Burwood Statement of Significance, December 2020</i>	No	No	No	Yes	No	No	No	No
HO817	<i>House</i> 59 Pakington Street, Kew Statement of significance: <i>59 Pakington Street Kew Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO818	<i>Kew Primary School No. 1075</i> 20 Peel Street, Kew Statement of significance: <i>Kew Primary School No. 1075 Statement of Significance, August 2020</i>	No	No	Yes – mature Monterey Cypress & Pepper-corns	Yes	Yes – 1929 shelter shed	No	No	No
HO819	<i>McDonald-Smith House (former)</i> 3 Perry Court, Kew Statement of significance: <i>McDonald-Smith House (former) Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO820	<i>Fernside (former)</i> 25 Queen Street, Kew Statement of significance: <i>Fernside (former) Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO821	<i>Craigmill</i> 13 Raheen Drive, Kew Statement of significance: <i>Craigmill Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO822	<i>Milston House</i> 6 Reeves Court, Kew Statement of significance:	No	No	No	Yes	Yes – Garage	No	No	No

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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?
	<i>Milston House Statement of Significance, August 2020</i>								
HO823	<i>Duplex</i> 35 to 37 Rowland Street, Kew Statement of significance: Duplex Statement of Significance (35 to 37 Rowland Street, Kew), August 2020	No	No	No	Yes	No	No	No	No
HO824	<i>Canyanboon</i> 28 Stevenson Street, Kew Statement of significance: <i>Canyanboon Statement of Significance, August 2020</i>	No	No	Yes – Canary Island palm	Yes	No	No	No	No
HO825	<i>Surbiton</i> 71 Stevenson Street, Kew Statement of significance: <i>Surbiton Statement of Significance, August 2020</i>	No	No	No	Yes	No	No	No	No
HO826	<i>Carmelite Monastery Melbourne</i> 96 Stevenson Street, Kew Statement of significance: <i>Carmelite Monastery Melbourne Statement of Significance, August 2020</i>	No	Yes – Church interior decoration	Yes – Row of <i>Cupressus sempervir-ens</i> on west boundary, other mature conifers, <i>Quercus palustris</i> , <i>Betula pendula</i> , <i>Ulmus</i> sp, <i>Cinnamo-</i>	Yes	Yes – Perimeter fence and Stevenson Street gateway	No	No	No

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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?
				<i>mum camphora</i> , <i>Grevillea robusta</i> , <i>Cordyline australis</i>					
HO827	<i>House</i> 31 Studley Park Road, Kew Statement of significance: House Statement of Significance (31 Studley Park Road, Kew) August 2020	No	No	No	Yes	Yes – original garage	No	No	No
HO828	Former W.R. Nash & Son Showroom and Service Station 1417 Burke Road, Kew East Statement of Significance: Former W.R Nash & Son Showroom and Service Station Statement of Significance, August 2020	No	No	No	Yes	No	No	No	No
HO830	<i>Mardegan House</i> 5 Fairway Drive, Kew East Statement of significance: Mardegan House Statement of Significance, August 2020	No	No	No	Yes	Yes - Decorative steel entrance gates to driveway	No	No	No
HO831	<i>Belford Court Arcade</i> 54-58 Kilby Road, Kew East Statement of Significance: Belford Court Arcade Statement of Significance, August 2020	No	Yes - Shopfronts and ceiling in arcade	No	Yes	No	No	No	No

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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?
HO832	<i>Misso House</i> 104 Kilby Road, Kew East Statement of significance: Misso House Statement of Significance, August 2020	No	No	No	Yes	Yes - the carport	No	No	No
HO833	<i>Kew East Primary School</i> 35 Windella Avenue, Kew East Statement of significance: Kew East Primary School No.3161 Statement of Significance, August 2020	No	No	Yes Monterey Cypress trees on the Beresford Street and Windella Avenue boundaries	Yes	No	No	No	No
HO834	<i>Residence</i> 117 Normanby Road, Kew East Statement of significance: 117 Normanby Road Statement of Significance, August 2020	No	No	No	Yes	No	No	No	No
HO835	<i>East Kew Uniting Church and former Citizens Hall</i> 142-142A Normanby Road, Kew East Statement of significance: East Kew Uniting Church and former Citizens Hall Statement of Significance, August 2020	No	No	No	Yes	No	No	No	No
HO836	<i>St Anne's Church</i> 53 Windella Avenue, Kew East	No	No	No	Yes	No	No	No	No

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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: St Anne's Church Statement of Significance, August 2020								
HO837	<i>St Paul's Anglican Church Complex</i> 63 Windella Avenue, Kew East Statement of significance: St Paul's Anglican Church Statement of Significance, August 2020	No	No	No	Yes	No	No	No	No
HO838	<i>Boulevard Estate and Environs Precinct</i> Burke Road (part), Old Burke Road (part), Munro Street (east side), Kilby Road (part), Walbundry Drive, Inverness Drive, Riverside Drive, Cascade Drive and Kyora Drive, Kew East Statement of significance: Boulevard Estate and Environs Precinct Statement of Significance, August 2020	No	No	Yes - Bhutan Cypress (x3) (Cupressus torulosa) 1489 Burke Road	Yes	Yes - Front fences: Kilby Road (209, 213). Burke Road (1449, 1471, 1475, 1483, 1498, 1491), Old Burke Road (1507, 1511, 1517), Munro Street (4, 8, 10, 12, 14, 16, 18, 22, 36, 44, 46, 50, 54, 62, 66), Walbundry Drive (5, 7), Inverness Drive (3, 5, 7), Riverside Drive (3), Cascade Drive (5), Kyora Drive (1, 3, 5) Garages: Burke Road (1449, 1463, 1465, 1467, 1485,	No	No	No

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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?
						1487), Old Burke Road (1511), Munro Street (4, 12, 16, 18, 54), Walbundry Drive (5, 7), Inverness Drive (1, 5), Riverside Drive (3, 4), Cascade Drive (5), Kyora Drive (1)			
HO839	<i>Harp Village Commercial Precinct</i> Valerie Street (part), High Street (part), Strathalbyn Street (part), Kew East Statement of significance: Harp Village Commercial Precinct Statement of Significance, September 2020	No	No	No	Yes	No	No	No	No
HO840	<i>Windella Avenue and Environs Precinct</i> Windella Avenue (part), Belford Road (part), Birdwood Street, Hale Street, Minto Street, Kilby Road (part), Kew East Statement of significance: Windella Avenue and Environs Precinct Statement of Significance, August 2020	No	No	No	Yes	Yes - Front fences: Windella Avenue (86, 98, 73 and 81), Belford Road (88, 94 and 105), Kilby Road (82), Birdwood Street (3, 6, 8, 12 and 20)	No	No	No

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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?
HO841	<i>Brickfields Environs Precinct</i> Aberdeen Street, Bowler Street, Carnarvon Street, Caroline Street, Fletcher Street (part), Loch Street (part), and Munro Street (part), Hawthorn East Statement of significance: Brickfields Environs Precinct Statement of Significance, February 2021	No	No	No	Yes	Yes - Front fences (5 Munro Street, 2 Carnarvon Street, 16 Loch Street, 29-33 Bowler Street)	No	No	No
HO842	<i>Burwood Road Estate Precinct</i> Oberon Avenue and Tara Street (part), Hawthorn East Statement of significance: Burwood Road Estate Precinct Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO843	<i>Smith's Paddock (Burwood Reserve) Environs Precinct</i> Auburn Parade, Burwood Avenue, Burwood Road (part), Carrington Avenue, Gillman Street (part), and Newport Crescent, Hawthorn East Statement of significance: Smith's Paddock (Burwood Reserve) Environs Precinct Statement of Significance, February 2021	Yes - 2 Carrington Avenue	No	No	Yes	Yes – Front fences (746 & 774 Burwood Road)	No	No	No

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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?
HO844	<i>Longford Estate & Environs Precinct</i> Auburn Road (part), Hawthorn and Tooronga Road (part), Currajong Road, Invermay Grove, and Harts Parade, Hawthorn East Statement of significance: Longford Estate & Environs Precinct Statement of Significance, November 2021	No	No	No	Yes	Yes – Front fences (4-6 Invermay Grove and 20-22 Currajong Road)			
HO845	<i>Essington Estate & Environs Precinct</i> Harold Street (part) and Mayston Street (part), Hawthorn East Statement of significance: Essington Estate & Environs Precinct Statement of Significance, February 2021	No	No	No	Yes	Yes – Front fences (44 & 46 Harold Street)	No	No	No
HO846	<i>Stonyhurst & Athol Estates Precinct</i> Fairmount Road (part), Miami Street (part), Tooronga Road (part), and Auburn Road (part), Hawthorn East Statement of significance: Stonyhurst & Athol Estates Precinct Statement of Significance, February 2021	No	No	No	Yes	Yes – Front fences (8-8A Fairmount Road; 14, 15, 16, 17, 18-20, 19-19A Miami Street) Garages (8 Fairmount Road; 7-11, 19A, 28 Miami Street; 481 Tooronga Road)	No	No	No

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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?
HO847	<i>Havelock Road, Denmark Hill Road and Linton Court Precinct</i> Havelock Road (part), Denmark Hill Road (part), and Linton Court, Hawthorn East Statement of significance: Havelock Road, Denmark Hill Road and Linton Court Precinct Statement of Significance, February 2021	No	No	No	Yes	Yes – Front fences (27-27A, 29-29A, 31-31A, 33-33A Havelock Road; 2 Denmark Hill Road) Garages (27- 27A, 29-29A, 31-31A, 33-33A Havelock Road; 2 and 8 Denmark Hill Road; 1 and 2 Linton Court)	No	No	No
HO848	<i>Victoria Road Precinct</i> Albert Street (part), Cambridge Street (part), Freeman Street, Grandview Grove (part), Hallcroft Place, Irelands Lane, Lilydale Grove (part), Lingwell Road, Lorne Road, Rathmines Road (part), Stanley Avenue, Station Street, Stewart Street, Temple Street, Victoria Grove, and Victoria Road (part), Hawthorn East Statement of significance: Victoria Road Precinct Statement of Significance, February 2021	No	Yes – 14 Rathmines Road (church organ)	No	Yes	Yes – Front fences (1, 3, 5, 7, 9, 11 and 8 Hallcroft Place; 84 Victoria Road)	No	No	No
HO849	<i>Newtown Housing Project</i> 406 Barkers Road, Hawthorn East Statement of significance:	No	No	No	Yes	Yes - Front fences (Besser block)	No	No	No

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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?
	Newtown Housing Project Statement of Significance, February 2021								
HO850	<i>Clomanto</i> 452 Barkers Road, Hawthorn East Statement of significance: Clomanto Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO851	<i>Merledon</i> 16 Beaconsfield Road, Hawthorn East Statement of significance: Merledon Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO852	<i>Lumeah</i> 64 Campbell Road, Hawthorn East Statement of significance: Lumeah Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO853	<i>Rosetta</i> 43 Clive Road, Hawthorn East Statement of significance: Rosetta Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO854	<i>Flats</i> 20 Denmark Hill Road, Hawthorn East Statement of significance:	No	No	No	Yes	No	No	No	No

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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?
	20 Denmark Hill Road, Hawthorn East Statement of Significance, February 2021								
HO855	<i>Carabacel (later 'Carrick Hill', later 'Dunreay')</i> 41 Harcourt Street, Hawthorn East Statement of significance: Carabacel (later 'Carrick Hill', later 'Dunreay') Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO856	<i>Adair House</i> 40 Havelock Road, Hawthorn East Statement of significance: Adair House Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO857	<i>Cukierman Residence</i> 29 Leura Grove, Hawthorn East Statement of significance: Cukierman Residence Statement of Significance, February 2021	No	No	No	Yes	No	No	No	No
HO858	<i>Les Cloches</i> 100 Pleasant Road, Hawthorn East Statement of significance: Les Cloches Statement of Significance, February 2021	No	No	No	Yes	Yes - Garage	No	No	No
HO861	<i>Tram shelter</i>	No	No	No	Yes	No	No	No	No

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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?
	Between 439A & 441 Riversdale Road, Hawthorn East Statement of significance: Tram Shelter Statement of Significance, February 2021								
HO862	<i>Auburn South Primary School No. 4183</i> 417-419 Tooronga Road, Hawthorn East Statement of significance: Auburn South Primary School No. 4183, Statement of Significance, February 2021	No	No	Yes – Mediterranean Cyprus	Yes	No	No	No	No
HO863	<i>Shanklin, St Lawrence, Auburn, Fernside, Illawarra, Riversdale, Tooronga</i> 500-512 Tooronga Road, Hawthorn East Statement of significance: Shanklin, St Lawrence, Auburn, Fernside, Illawarra, Riversdale, Tooronga Statement of Significance, February 2021	No	No	No	Yes	Yes – Front Fences (508 and 510 Tooronga Road)	No	No	No
HO864	<i>Trengrove House</i> 8 Tower Place, Hawthorn East Statement of significance: Trengrove House Statement of Significance, February 2021	No	No	No	Yes	Yes - Front Fence	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO865	<i>Mombah (former)</i> 9 Widford Street, Hawthorn East Statement of significance: Mombah (former) Statement of Significance, February 2021	No	No	No	Yes	Yes – Front Fence piers and footings only	No	No	No
HO866	<i>Balloch's Bakery and Stables (former)</i> 157 Auburn Road, Hawthorn and 3 Russell's Place, Hawthorn East Statement of significance: Balloch's Bakery and Stables (former) Statement of Significance, February 2021	Yes – Painted sign on eastern elevation of 157 Auburn Road, Hawthorn	No	No	Yes	No	No	No	No
HO870	<i>House</i> 1 Mountain View Road, Balwyn North Statement of Significance: House, 1 Mountain View Road, Balwyn North Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	Yes - Garage and masonry fence to the front and side	No	No	No
HO871	<i>Reumah</i> 1 Reumah Court, Balwyn Statement of Significance: Reumah, 1 Reumah Court, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO872	<i>All Hallows' Catholic Church- School (former)</i> 3 Brenbeal Street, Balwyn Statement of Significance: All Hallows' Catholic Church- School (former), 3 Brenbeal Street, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No
HO873	<i>Flats</i> 7 Mangan Street, Balwyn Statement of Significance: Flats, 7 Mangan Street, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	Yes - front fence	No	No	No
HO874	<i>Khartoum</i> 8 Kitchener Street, Deepdene Statement of Significance: Khartoum, 8 Kitchener Street, Deepdene Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No
HO875	<i>Rexmoor</i> 8 Boston Road, Balwyn Statement of Significance:	No	No	No	Yes	Yes - two early outbuildings at rear of property	No	No	No

BOROONDARA PLANNING SCHEME

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?
	Rexmoor, 8 Boston Road, Balwyn Statement of Significance (Boroondara City Council, November 2023)								
HO876	<i>Aloha</i> 9 Boston Road, Balwyn Statement of Significance: Aloha, 9 Boston Road, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	Yes - brick garage	No	No	No
HO877	<i>Mararoa</i> Leonard Street, Deepdene Statement of Significance: Mararoa, 28 Leonard Street, Deepdene Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No
HO878	<i>1st Deepdene Scout Hall Whitehorse Road, Deepdene</i> Statement of Significance: 1st Deepdene Scout Hall, Deepdene, 32 Whitehorse Road, Deepdene Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO879	<i>Bel-Air</i> 113 Yarrbat Avenue, Balwyn Statement of Significance: Bel-Air, 113 Yarrbat Avenue, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	Yes - garage and front fence along Yarrbat Avenue frontage	No	No	No
HO880	<i>Silver Birches (formerly Hillsborough) and garden</i> 129-131 Yarrbat Avenue, Balwyn Statement of Significance: Silver Birches (formerly Hillsborough) and garden, 129- 131 Yarrbat Avenue, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	Yes -front and rear garden layout including the wall designed by Edna Walling and the mature Oak species	Yes	Yes -garage and the capped sections of front fence and gates	No	No	No
HO881	<i>Church House</i> 146 Yarrbat Avenue, Balwyn Statement of Significance: Church House, 146 Yarrbat Avenue, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No
HO882	<i>House and Garden</i> 171 Doncaster Road, Balwyn North Statement of Significance:	No	No	Yes - mature trees cypress and cedar trees and front garden	Yes	Yes - front fence and garage	No	No	No

BOROONDARA PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	House and Garden, 171 Doncaster Road, Balwyn North Statement of Significance (Boroondara City Council, November 2023)								
HO883	<i>Evandale (formerly Dewrang)</i> 269 Union Road, Balwyn Statement of Significance: Evendale (formerly Dewrang), 269 Union Road, Balwyn Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No
HO884	<i>Former Frank Paton Memorial Church and Hall</i> 958A Burke Road, Deepdene Statement of Significance: Former Frank Paton Memorial Church and Hall, 958A Burke Road, Deepdene Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	Yes - front fence	No	No	No
HO885	<i>Angle Road Precinct</i> 1-13 and 2-12 Angle Road Deepdene Statement of Significance: Angle Road Precinct Statement of Significance (Boroondara City Council, November 2023)	No	No	No	Yes	No	No	No	No
HO891	<i>House</i> 39 Peate Avenue, Glen Iris	No	No	No	Yes	Yes - front fence	No	No	No

BOROONDARA PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Statement of Significance: House, 39 Peate Avenue, Glen Iris Statement of Significance, June 2022								
HO892	<i>Burnlea</i> 22 Bourne Road, Glen Iris Statement of Significance: Burnlea, 22 Bourne Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO893	<i>Camberwell South Primary School No. 4170</i> 4 Peate Avenue, Glen Iris Statement of Significance: Camberwell South Primary School No. 4170, 4 Peate Avenue, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO894	<i>Carinya (Formerly Warrack Lodge)</i> 14 Alfred Road, Glen Iris Statement of Significance: Carinya (Formerly Warrack Lodge), 14 Alfred Road, Glen Iris Statement of Significance, June 2022	Yes - to the extent of the render finish on the 1916 section of the dwelling	No	No	Yes	No	No	No	No
HO895	<i>Glen Iris Heights and Cherry's Hill Estates Precinct</i> Statement of Significance:	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	Glen Iris Heights and Cherry's Hill Estates Precinct Statement of Significance, June 2022								
HO896	<i>Glen Iris Primary School No. 1148</i> 170 Glen Iris Road, Glen Iris Statement of Significance: Glen Iris Primary School No. 1148, 170 Glen Iris Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO897	<i>Hirsch House and Office (former)</i> 118 Glen Iris Road, Glen Iris Statement of Significance: Hirsch House and Office (former), 118 Glen Iris Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO898	<i>House</i> 44 Denman Avenue, Glen Iris Statement of Significance: House, 44 Denman Avenue, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO899	<i>House</i> 55 Bath Road, Glen Iris Statement of Significance: House, 55 Bath Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	Yes, front fence	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO900	<i>Langley Burrell</i> 148 Summerhill Road, Glen Iris Statement of Significance: Langley Burrell, 148 Summerhill Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	Yes, front boundary fence Original garage	No	No	No
HO902	<i>Quamby (formerly Woongarra)</i> 29 Alfred Road, Glen Iris Statement of Significance: Quamby (formerly Woongarra), 29 Alfred Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO903	<i>Romney Lodge (formerly Delloraine)</i> 2 Allison Avenue, Glen Iris Statement of Significance: Romney Lodge (formerly Delloraine), 2 Allison Avenue, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	Yes, front fence	No	No	No
HO904	<i>St. Oswald's Anglican Church Complex</i> 100 - 108 High Street, Glen Iris Statement of Significance: St Oswald's Anglican Church Complex, 100-108 High Street, Glen Iris Statement of Significance, June 2022	No	Yes, main church building only (stained glass, font and organ)	No	Yes	No	No	No	No
HO905	<i>Summerhill Estate Precinct</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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: Summerhill Estate Precinct Statement of Significance, June 2022								
HO906	<i>Summerhill Road Methodist Church Complex (former)</i> 26 Summerhill Road, Glen Iris Statement of Significance: Summerhill Road Methodist Church Complex, 26 Summerhill Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	Yes, low stone retaining wall	No	No	No
HO907	<i>The Fold</i> 26 Summerhill Road, Glen Iris Statement of Significance: The Fold, 26 Summerhill Road, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO908	Violet Farm Estate Precinct Statement of Significance: Violet Farm Estate Precinct Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No
HO909	<i>Woorayl</i> 3 Valley Parade, Glen Iris Statement of Significance: Woorayl, 3 Valley Parade, Glen Iris Statement of Significance, June 2022	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO915	<i>Red House</i> Part 207 Barkers Road, Kew (formerly 231 Barkers Road) Statement of Significance: <i>Red House Statement of Significance, May 2020</i>	No	No	No	Yes	No	No	No	No
HO916	<i>Wentworth</i> Part 207 Barkers Road, Kew (formerly 876 Glenferrie Road) Statement of Significance: Wentworth Statement of Significance, May 2020	No	No	No	Yes	No	No	No	No
HO918	<i>Home Farm Estate and Environs Precinct</i> Albion Road (part), Dunlop Street (part), Ashburton and Glen Iris Statement of Significance: Home Farm Estate and Environs Precinct Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No
HO919	<i>Ashburton Uniting Church</i> 3-7 Ashburton Grove, Ashburton Statement of Significance: Ashburton Uniting Church, 3-7 Ashburton Grove, Ashburton Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO920	<i>House</i> 9 Donald Street, Ashburton Statement of Significance: House, 9 Donald Street, Ashburton Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No
HO921	<i>Ashburton Primary School</i> 10A Fakenham Road, Ashburton Statement of Significance: Ashburton Primary School, 10A Fakenham Road, Ashburton Statement of Significance, December 2021	No	No	No	Yes	Yes - War Memorial	No	No	No
HO922	<i>St Michael's Parish Hall</i> 268 High Street, Ashburton Statement of Significance: St Michael's Parish Hall, 268 High Street, Ashburton Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No
HO923	<i>St Michael's Memorial Church</i> 270 High Street, Ashburton Statement of Significance: St Michael's Memorial Church, 270 High Street, Ashburton Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No
HO924	<i>House</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	1 Keyes Street, Ashburton Statement of Significance: House, 1 Keyes Street, Ashburton Statement of Significance, December 2021								
HO925	<i>Victorian House</i> 10 Marquis Street, Ashburton Statement of Significance: Victorian House, 9 Marquis Street, Ashburton Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No
HO926	<i>Pyrus Park</i> 7 Vears Road, Ashburton Statement of Significance: Pyrus Park, 7 Vears Road, Ashburton Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No
HO927	<i>House</i> 45 Yuile Street, Ashburton Statement of Significance: House, 45 Yuile Street, Ashburton Statement of Significance, December 2021	No	No	No	Yes	No	No	No	No
HO928	<i>House</i> 12-14 Tannock Street, Balwyn North Statement of Significance:	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	House, 12-14 Tannock Street, Balwyn North Statement of Significance, October 2021								
HO930	<i>Seeger House</i> 26 Goldthorns Avenue, Kew Statement of Significance: <i>Seegar House</i> , 26 Goldthorns Avenue, Kew Statement of Significance, March 2022	No	No	No	Yes	No	No	No	No
HO931	<i>Former Watson Residence</i> 3-5 Florence Avenue, Kew Statement of Significance: Former Watson Residence (3-5 Florence Avenue, Kew) Statement of Significance, June 2021	No	No	No	Yes	No	No	No	No
HO932	<i>Skye</i> 97 Argyle Road, Kew Statement of Significance: <i>Skye</i> , 97 Argyle Road Kew Statement of Significance, March 2022	No	No	No	Yes	No	No	No	No
HO933	<i>Currajong</i> 337 Auburn Road, Hawthorn Statement of Significance: <i>Currajong</i> , 337 Auburn Road, Hawthorn Statement of Significance, November 2021	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO937	Summer and Cliff House 25 Swinton Avenue and 3/2 Hodgson Street (part), Kew Statement of Significance: Summer House and Cliff House Statement of Significance, June 2021	Yes	No	Yes - Eucalyptus tree (Summer House)	Yes	No	No	No	No
HO943	Former Balwyn Baby Health Centre, later Maternal and Child Health Centre 1 Cherry Road, Balwyn Statement of Significance: Former Balwyn Baby Health Centre, later Maternal and Child Health Centre, 1 Cherry Road, Balwyn Statement of Significance, July 2022	No	No	No	Yes	No	No	No	No
HO943	<i>House - Chesney Wolde</i> 57 Berkeley Street, Hawthorn Statement of Significance: Chesney Wolde, 57 Berkeley Street, Hawthorn, Mar 2023	No	No	No	No	No	No	No	No
HO939	<i>House</i> 60 Berkeley Street, Hawthorn Statement of Significance: 60 Berkeley Street, Hawthorn Statement of Significance, May 2023	No	No	No	No	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO945	<i>Batrouney House (former)</i> 9 Seattle Street, Balwyn North Statement of Significance: Batrouney House (former), 9 Seattle Street, Balwyn North Statement of Significance (GML Heritage, August 2022)	Yes	No	No	Yes	Yes (front retaining walls and steps)	No	No	No
HO947	<i>Gordon Street Precinct</i> 133-141 Gordon Street, Balwyn Statement of Significance: Gordon Street Precinct, Balwyn Statement of Significance (GML Heritage, November 2021)	No	No	No	Yes	No	No	No	No
HO948	<i>House</i> 41 Austin Street, Balwyn Statement of Significance: House, 41 Austin Street, Balwyn Statement of Significance (GML Heritage, February 2022)	No	No	No	Yes	No	No	No	No
HO949	<i>House</i> 5 Creswick Street, Deepdene Statement of Significance: House, 5 Creswick Street, Deepdene Statement of Significance (GML Heritage, August 2023)	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO951	<i>House</i> 221 Whitehorse Road, Balwyn Statement of Significance: House, 221 Whitehorse Road, Balwyn Statement of Significance (GML Heritage, February 2022)	No	No	No	Yes	No	No	No	No
HO954 Interim Control Expiry Date: 28/08/2025	7 Fuller Avenue, Glen Iris	No	No	No	Yes	No	No	No	No
HO955 Interim Control Expiry Date: 28/08/2025	33 Fuller Avenue, Glen Iris	No	No	No	Yes	No	No	No	No
HO956 Interim Control Expiry Date: 28/08/2025	Dent Street Precinct, Glen Iris	No	No	No	Yes	No	No	No	No
HO957	High Street North Precinct, Glen Iris	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
Interim Control Expiry Date: 28/08/2025									
HO958 Interim Control Expiry Date: 28/08/2025	Tower Hill Estate Precinct, Glen Iris and Ashburton	No	No	No	Yes	No	No	No	No
HO959 Interim Control Expiry Date: 30/10/2025	<i>Cloughfin</i> 86 Wattle Road, Hawthorn	No	No	No	Yes	No	No	No	No
HO961	<i>Mitchell House (former)</i> 2 Salford Avenue, Balwyn Statement of Significance: Mitchell House (former), 2 Salford Avenue Balwyn Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	No	No	No	No
HO962	<i>Dunstan Residence</i> 17 Yandilla Road, Balwyn Statement of Significance:	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	Dunstan Residence, 17 Yandilla Road, Balwyn Statement of Significance (GML Heritage, September 2024)								
HO963	<i>House</i> 116 Bulleen Road, Balwyn North Statement of Significance: House, 116 Bulleen Road, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Stack stone fencing/retaining walls	No	No	No
HO964	<i>House</i> 32 Hill Road, Balwyn North Statement of Significance: House, 32 Hill Road, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Original cream brick double garage and garden wall that links garage to main house	No	No	No
HO965	<i>Lipton House (former)</i> 67 Hill Road, Balwyn North Statement of Significance: Lipton House former 67 Hill Road Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	No	No	No	No
HO966	<i>Mann House (former)</i> 39 Inverness Way, Balwyn North Statement of Significance:	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	Mann House (former), 39 Inverness Way, Balwyn North Statement of Significance (GML Heritage, September 2024)								
HO967	<i>Wing Shing House (former)</i> 26 Kyora Parade, Balwyn North Statement of Significance: Wing Shing House (former), 26 Kyora Parade Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Front boundary fence	No	No	No
HO968	<i>Balwyn North Primary School (previously North Balwyn State School No 4638)</i> 94 Maud Street, Balwyn North Statement of Significance: Balwyn North Primary School (previously North Balwyn State School No 4638), 94 Maud Street, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	No	No	No	No
HO969	<i>Kramer House (former)</i> 7 Milfay Court, Balwyn North Statement of Significance: Kramer House (former), 7 Milfay Court Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO970	<i>Plotkin House (former)</i> 47 Mountain View Road, Balwyn North Statement of Significance: Plotkin House (former) 47 Mountain View Road, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Front and side concrete brick fencing and gateway feature/letterbox	No	No	No
HO971	<i>House</i> 24 Orion Street, Balwyn North Statement of Significance: House, 24 Orion Street, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Front boundary retaining walls	No	No	No
HO972	<i>Vedere</i> 44 Panoramic Road, Balwyn North Statement of Significance: Vedere, 44 Panoramic Road, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Front fence and gates	No	No	No
HO973	<i>House</i> 22 Riverview Road, Balwyn North Statement of Significance: House, 22 Riverview Road, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Fencing along both street frontages	No	No	No
HO974	<i>Spitzer House (former)</i>	No	No	No	Yes	No	No	No	No

BOROONDARA PLANNING SCHEME

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?
	9 Tomey Street, Balwyn North Statement of Significance: Spitzer House former 9 Tormey Street Balwyn North Statement of Significance (GML Heritage, September 2024)								
HO975	<i>House</i> 17 Trentwood Avenue, Balwyn North Statement of Significance: House, 17 Trentwood Avenue, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	Yes - Front retaining wall	No	No	No
HO976	<i>Davis Residence</i> 32 Ursa Street, Balwyn North Statement of Significance: Davis Residence, 32 Ursa Street, Balwyn North Statement of Significance (GML Heritage, September 2024)	No	No	No	Yes	No	No	No	No
HO977	<i>Sanders House (former)</i> 25 Burroughs Road, Balwyn Statement of Significance: Sanders House former 25 Burroughs Road Balwyn Statement of Significance (Built Heritage, September 2024)	No	No	No	Yes	Yes - Attached gable-roofed garage, original brick fence including incorporated brick planter boxes and gates to both street boundaries	No	No	No

BOROONDARA PLANNING SCHEME

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?
HO993	<i>Walmer Street Bridge</i> Walmer Street, Kew	-	-	-	-	-	Yes Ref No H2401	No	No

43.02

31/07/2018
VC148

DESIGN AND DEVELOPMENT OVERLAY

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

19/01/2006
VC37

Design objectives

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

28/02/2025
VC274

Buildings and works

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.
 - To the construction of a building or construction or carrying out of works for a small second dwelling if all the following requirements are met:
 - The building height must not exceed 5 metres.
 - The building must be finished using muted tones and colours.
- 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

Class of application	Information requirements and decision guidelines
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
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 Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct 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

31/07/2018
VC148

Subdivision

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.	Clause 59.02

Class of application	Information requirements and decision guidelines
-----------------------------	---

- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

Clause 59.02

- 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.

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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6

31/07/2018
VC148

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 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.

28/07/2022
C313boro

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

WILLSMERE DESIGN AND DEVELOPMENT AREA

1.0

28/07/2022
C313boro

Design objectives

To ensure that the development of the land is compatible with the existing character and landscape of the area, the adjacent Willsmere Heritage Overlay area and Yarra Bend Park.

To encourage standards of construction that enhance the special landscape significance of the area, the adjacent Willsmere Heritage Overlay area and Yarra Bend Park.

To encourage the planting of native trees and shrubs particularly those indigenous to the area.

To ensure all landscaping works extend the eucalypt dominated woodland of Yarra Bend Park to link with groupings of remnant indigenous vegetation.

2.0

28/07/2022
C313boro

Buildings and works

Buildings and works must be constructed in accordance with the following requirements:

- The density for a multi-dwelling development must not exceed 25 dwellings per hectare.
- A minimum of 60 per cent of all dwellings within Areas B and C shown on Map 1 to this Schedule must be detached houses or dual occupancy.
- All low voltage electricity supply mains and all telephone lines must be located underground unless otherwise agreed by the responsible authority.
- On detached house lots, at least 50 per cent of the area between the dwelling and road boundary must be free of paving to allow for lawns and other planting. On the balance of the site, there must be sufficient area free of buildings, paving, pools and tennis courts to enable a garden environment to be created.
- In Areas A and B shown on Map 1 to this Schedule, multi-dwelling development must not comprise simple rectangular buildings with identical or substantially identical units.
- Buildings in Areas A and B shown on Map 1 to this Schedule must not exceed two storeys.
- An external wall must not exceed 6 metres above ground level.
- A roof on any two storey section of building must have a pitch greater than 20 degrees.
- Buildings in Area C shown on Map 1 to this Schedule must not exceed three storeys. An external wall must not exceed 9 metres. A roof on any two storey section of building must have a pitch greater than 20 degrees.
- A building, including a tennis court and swimming pool, in Areas A and B shown on Map 1 to this Schedule must not be constructed within 4 metres of the property boundary adjacent to Yarra Bend Park.
- Ridge lines of buildings must be generally parallel with site contours on land with an average slope greater than 1 in 10.
- Carports, garages and outbuildings must be built in the style and materials of the house.
- Swimming pools must be designed so that supporting structural members and intervening spaces are enclosed.
- A retaining wall must not be higher than 2 metres above ground level.
- All retaining walls higher than one metre must be set back from any adjacent boundary a distance at least equal to the height of the wall.

- A planting strip of at least 1.5 metres width must separate parallel retaining walls and be appropriately planted.
- Materials of buildings in Areas A and B shown on Map 1 to this Schedule must reflect the colour and texture of the parkland setting. Selection of materials must take account of colour, texture, weathering characteristics and the form of the building. Reflective materials must not be used.
- Building roofs in Area A shown on Map 1 to this Schedule must be of a dark colour. Suitable building materials for walls include:
 - Brick - grey, tan, light brown; bagged and painted, muted grey, green or beige.
 - Timber - stained or painted in muted grey, green, brown or beige; cedar untreated.
 - Stone.
 - Glass - clear, grey.
 Suitable building materials for roofs include:
 - Colorbond - bronze, olive, beige, light brown.
 - Cedar.
 - Terracotta tiles.
 - Slate tiles.
- Timber used for trim must be unpainted, or painted or stained in muted grey, green, brown or beige.
- Other building materials may be used if it can be shown that they have the same effect as those listed above.
- Materials of buildings and colours of materials in Area B shown on Map 1 to this Schedule must be appropriate to a setting in the foreground of views towards the historic hospital building. A reflective material must not be used.
- A 2 metre wide landscaped strip must be provided between any tennis court and an adjacent property boundary.
- No part of any tennis court surface within 4 metres of an adjacent residential lot may be more than one metre above ground level.
- Any permanent fencing and gates on the boundary between Areas A and B shown on Map 1 to this Schedule and Yarra Bend Park must be black plastic coated chain mesh to a maximum height of 1.8 metres. A gate must not be more than 1m wide.
- Any section of the boundary between Areas A and B shown on Map 1 to this Schedule and Yarra Bend Park adjacent to any works or development must be fenced with temporary mesh fencing or black plastic coated chain mesh fencing for the construction period.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with these requirements.

3.0

28/07/2022
C313boro

Subdivision

A plan showing details of the proposed subdivision must be prepared to the satisfaction of the responsible authority.

In deciding whether the plan is satisfactory, the responsible authority must consider whether adequate arrangements have been made for the provision of a noise attenuation mound along the northern boundary of Areas B and C shown on Map 1 to this Schedule.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

None specified.

6.0

28/07/2022
C313boro

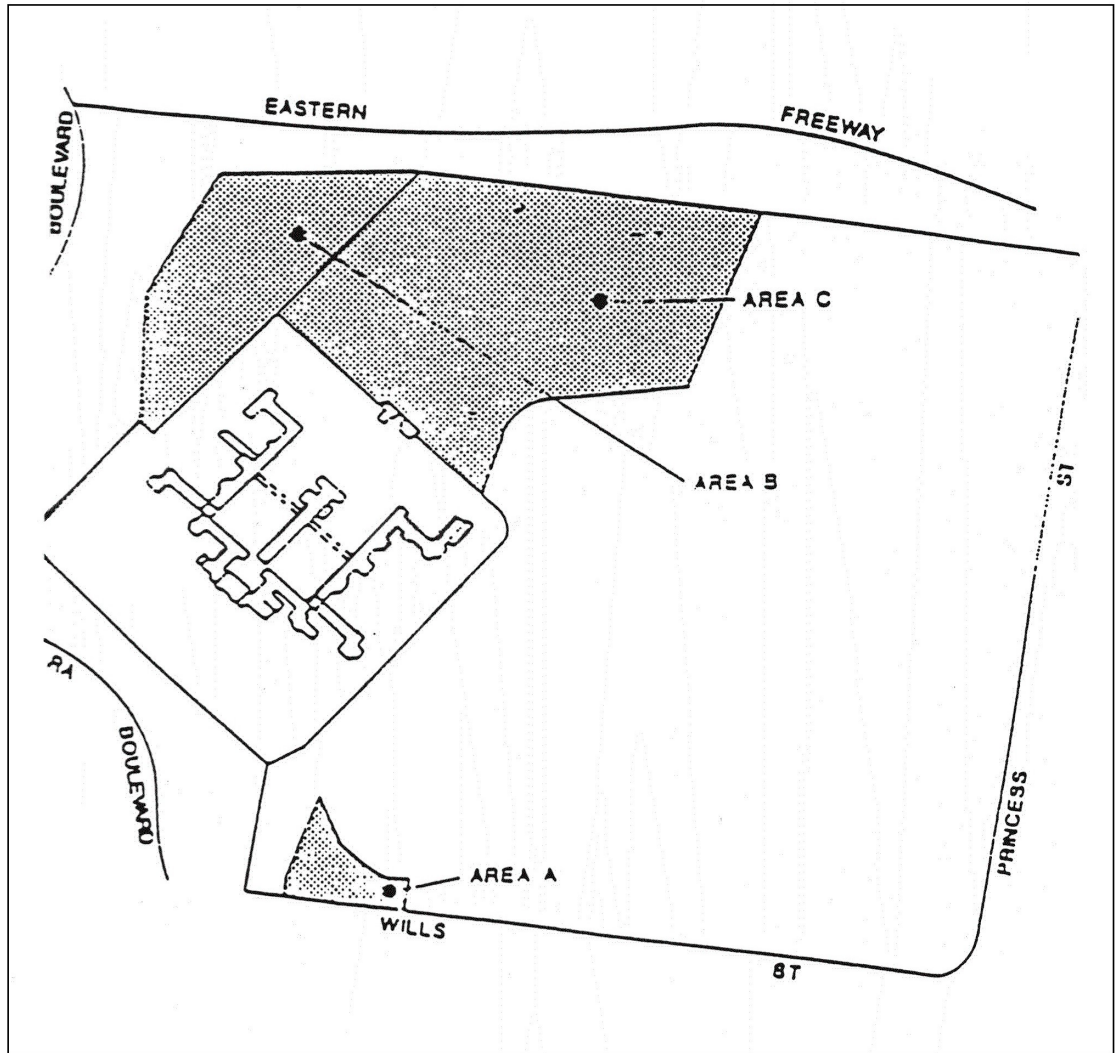
Decision guidelines

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

- Whether the area is provided and maintained with a predominance of detached housing.
- Whether the land is developed in a way that minimises any detrimental impact on the existing character of the area.
- Whether buildings and works are set back reasonable distances from property boundaries to provide for present and future planting and landscaping.
- Whether the height of buildings is controlled to ensure that they retain an inconspicuous profile and do not dominate the landscape.
- Whether the density of development in the area is controlled to ensure that a reasonable part of the land is available for tree planting, landscaping and outdoor open space uses.

BOROONDARA PLANNING SCHEME

Map 1 to Schedule 1 to Clause 43.02



28/07/2022
C313boro

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

WILLSMERE HISTORICAL BUILDING DESIGN AND DEVELOPMENT AREA

1.0

28/07/2022
C313boro

Design objectives

To guide buildings, works and landscaping to a standard appropriate to this special site.

To control height to avoid degrading views of the site from key viewpoints.

To minimise the impact of buildings and works on the site's surrounds.

2.0

28/07/2022
C313boro

Buildings and works

A building must not be higher than three storeys.

In the area shown stippled on Map 1 to this Schedule, any building must be below the level of 58.81 metres A.H.D. (This level is equal to pavement level at the foot of the steps to the main south-western entrance of the Willsmere Hospital building.)

In the area shown hatched on Map 1 to this Schedule:

- A building must not be higher than two storeys.
- An external wall must not, at any point, extend more than 6 metres above the ground level existing at the approval date.
- A roof on any two storey section of building must not have a pitch greater than 20 degrees.

On detached house lots, at least 50 percent of the area between the dwelling and road boundary must be free of paving to allow for lawns and other planting. On the balance of the site, there must be sufficient area free of buildings, paving, pools and tennis courts to enable a garden environment to be created.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with these requirements.

3.0

28/07/2022
C313boro

Subdivision

None specified.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

None specified.

6.0

28/07/2022
C313boro

Decision guidelines

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

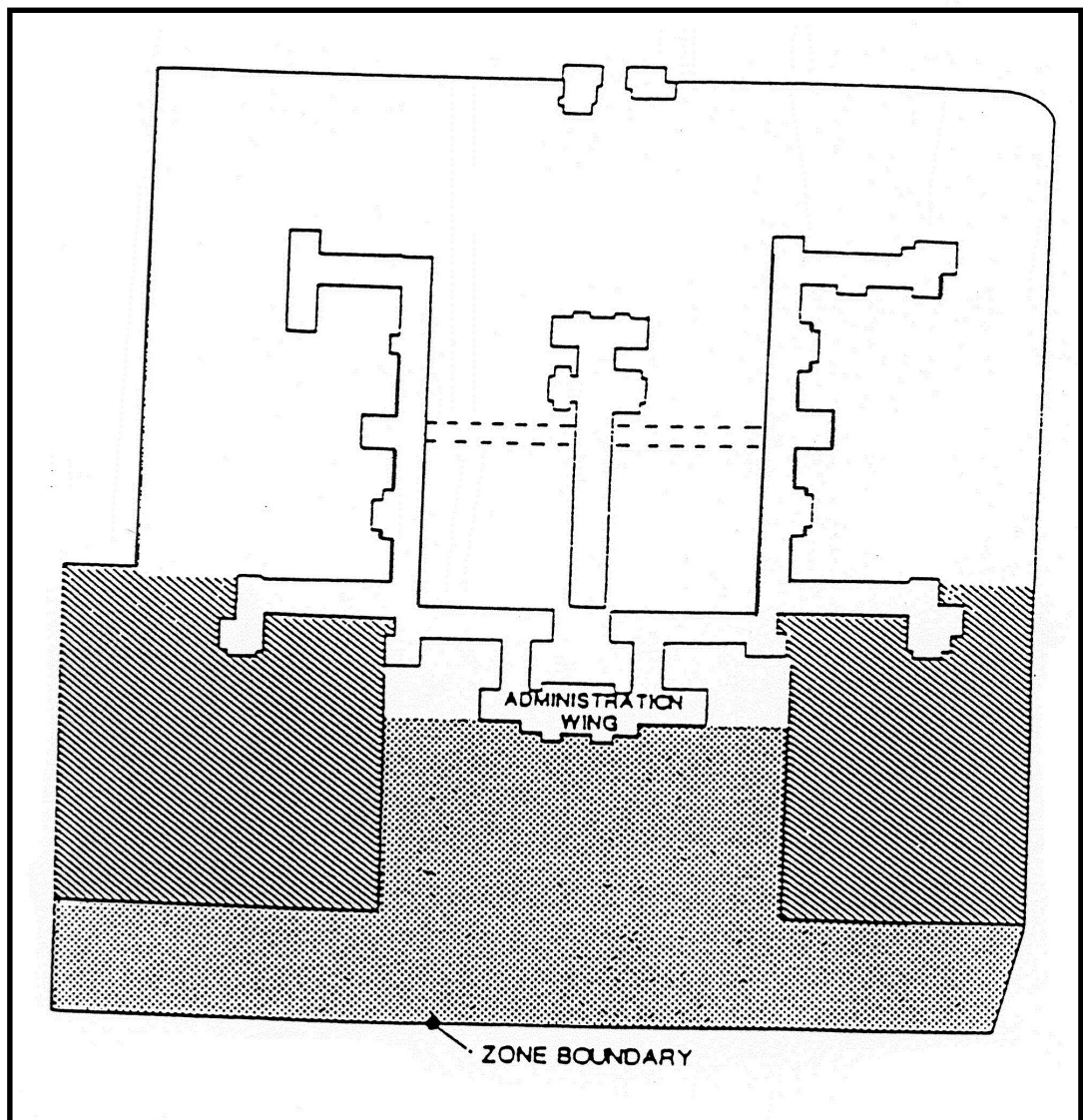
- Any changes to the elevations of the historic hospital building needed to assist the functional use of the building.
- Whether the land is to be landscaped in keeping with the character and appearance of the area.

BOROONDARA PLANNING SCHEME

- The location and landscaping of any proposed off-street parking area. Landscaping of any car park should use exotic tree species which pick up the existing plant groupings in the immediate locality and are associated with the historic planting in the area.
- Whether traffic generated by development would exceed 3,300 vehicle movements per day. Traffic generation rates are to be estimated by using the formula contained in the following table:

Potential use	24 hr two-way traffic generation rate
Retirement Village:	
* Self care	2 per unit
* Assisted care	1 per unit
Hotel/Residential Hotel:	
* Accommodation	4 per room
* Restaurant	35 per 100m ² gross
* Conference Room	16 per 100m ² gross
* Administration	15 per 100m ² gross
Research and Development Enterprise	12 per 100m ² gross
Office	15 per 100m ² gross
Detached House	12 per house
Attached House	10 per unit
Flat - 3 bedroom	7 per flat
Flat - 2 bedroom	6 per flat
Flat - 1 bedroom	5 per flat
Tertiary Institution	2 per equivalent full-time student
School	1.5 per student
Warehouse	1 per 100m ² gross

Map 1 to Schedule 2 to Clause 43.02



28/07/2022
C313boro

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4**.

MONOMEATH DESIGN AND DEVELOPMENT AREA

1.0

28/07/2022
C313boro

Design objectives

To assist in the maintenance of the character of Monomeath Avenue.

2.0

28/07/2022
C313boro

Buildings and works

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

3.0

28/07/2022
C313boro

Subdivision

Land must not be subdivided.

A permit cannot be granted to subdivide land which is not in accordance with this requirement.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

None specified.

6.0

28/07/2022
C313boro

Decision guidelines

None specified.

28/07/2022
C313boro

SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6**.

HAWTHORN TRAM DEPOT DESIGN AND DEVELOPMENT AREA

1.0

28/07/2022
C313boro

Design objectives

To protect the surrounding residential area and abutting residential properties from traffic, parking and any adverse amenity impacts associated with any development of the site.

To enhance and recognise the heritage significance of the Tram Depot building and the significance of the adjacent open space area of the Yarra River environs.

To recognise the site as an important gateway to the City of Boroondara generally, with views over or to the Yarra River and Wallen Reserve, the CBD and Arts Centre Spire to the west and axial views along Riversdale Road to the east.

2.0

28/07/2022
C313boro

Buildings and works

Buildings and works must be constructed in accordance with the following requirements:

Setbacks

- Building setbacks from all frontages and boundaries must comply with the requirements specified on Maps 2 and 3 to this Schedule.

Height, scale and mass

- Building height, scale and mass must comply with the requirements specified on Maps 2 and 3 to this Schedule.

Site access

- Primary vehicle and pedestrian access must correspond with the existing crossing to the west end of the site on Wallen Road.
- Secondary vehicle and pedestrian access must be obtained at the east end of the site via the existing service road.
- The existing tram tracks on the Wallen Street crossing must be retained and used for the heritage tram fleet operations.
- The public footpath access from the service road off Riversdale Road to Wallen Reserve must be retained.

Car parking

- The development must provide adequate off-street parking for the tenants of the building. In this respect, the development must comply with the car parking provisions set out in Clause 52.06.

Building forms and materials

- Design forms must respect the building's interfaces, especially with the public park to the south.
- Plant and equipment, including lift shafts and ventilation mechanisms, must be designed so as not to distract from the overall appearance of the building.

Wallen Reserve

- The portion of the site forming part of the Wallen Reserve oval must be retained as publicly accessible open space with no development to take place on this portion of the site.

Main external views

- Development of the site must preserve the key views from and to the site from eye level vantage points.
- Any proposed development must not obstruct the existing viewlines from Riversdale Road of the Arts Centre spire on St Kilda Road or the general views of the city skyline. Any development must also preserve the general viewlines from Wallen Road and Power Street.
- Viewlines from the Yarra River environs and Wallen Reserve must also be addressed in an appropriate manner.

Landscaping

- A minimum landscaping buffer of 4 metres width must be created between the edge of the oval at Wallen Reserve, demarcated by the concrete spoon drain, and any development.
- Landscaping treatments of any development must recognise the different character of the urban interface to Wallen and Riversdale Roads and the riverside interface with Leonda and Wallen Reserve. These landscaping treatments must seek to integrate development with these surrounding precincts.
- Significant trees identified on Map 4 to this Schedule must be retained.

Potential development area

- Any development must be located generally within the building footprint set out on Map 1 to this Schedule.

Street frontage

- Any development of the frontages to Wallen Road and the service road off Riversdale Road must involve the conservation of the principal facade of the heritage Tram Depot building.
- If new entries are proposed, their design must be sympathetic to the original facade treatment of the heritage Tram Depot building.

Forecourt

- The existing forecourt must be retained as open space and function as a forecourt for the heritage Tram Depot building and any new development. The existing trackwork and overhead infrastructure must be retained and conserved as appropriate, as part of the heritage Tram Depot building.

Potential demolition

- Within the framework of any development proposal for the site which must include the conservation of the brick heritage Tram Depot building and Tram Shed 1, there is the potential to demolish the following specified buildings and structures, subject to the acceptability and compatibility of the proposed development:
 - Shed 2 including east facade and basement.
 - Overhead structures associated with Shed 2.
 - Brick retaining wall at south end of forecourt.
 - Post and rail fence, path and iron shed adjacent to retaining wall.
 - Cyclone mesh fencing to the street frontage.
 - Bluestone retaining wall adjoining Leonda car park.

Adaptation and conservation of the main building

- Any adaptation and recycling of the heritage Tram Depot building must accord with any conservation policies developed for the building by Heritage Victoria.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with these requirements. However, a permit may be granted to construct architectural features or building services outside the building envelope specified on the maps forming part of this Schedule.

3.0

28/07/2022
C313boro

Subdivision

None specified.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

None specified.

6.0

28/07/2022
C313boro

Decision guidelines

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

- Whether the bulk, location and external appearance of any proposed building or works will be in keeping with the character and appearance of adjacent buildings, the streetscape and the area.
- Whether the design, form, layout, proportion and scale of any proposed building or works is compatible with the period, style, form, proportions and scale of any identified heritage places surrounding the site.
- Whether the proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape and the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any 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 and the area.
- The views of Melbourne Water in relation to any application for building or works.

Map 1 to Schedule 6 to Clause 43.02

Key views of principal facades from Wallen Road:

Walten Road entry preferred primary point of vehicle entry and exit.

Former Tower Building to be retained

New development to incorporate reconstructed west facade to Shed 1

Area 2 - New development potential. Key issues: internal views and relationship to Shed 1. Scale to relate to existing buildings. Maximum height AHD 23.4

New development to incorporate reconstructed west facade to Shed 2 and retain main track in footcort area.

Area 1 - new development potential. Key issues: relationship with existing - facade interface. Views from Yarr's park lot. Maximum height AHD 33.3

Landscape buffer zone: Minimum width of 4m. Refer Landscape Guidelines

Potential shared external entry and access to first and second floors

Sensitive perimeter - facade retroscapes interface

Key view from Power Street. Main facade. Potential new building behind

Open Breach

Main Building

Shed 1

Shed 2

Area 1

Area 2

Area 3

Walten Road Reserve retained as public open space and recreation reserve

Key view from Wallen Reserve and Boulevard. Prominent view of new building

Main Building. Key issues: Restore and conserve principal facades

Development over Shed 1. Key issues: external views. Lightweight structures only. Maximum height equal to existing parapet (AHD 26.7)

Secondary access only for vehicles and pedestrian access

Area 3 - Development potential. Key issues: scope for demolition of Shed 2 subject to approval. External views. Scale and relationship to adjoining facade. Maximum height AHD 25.7.

New facade to align with the existing building. Facade treatment to be neutral / recessive

Existing public access to the Wallen Road Reserve to be retained

Key view from Townsland Road - main facade, C2B, Arts Centre Spire

CLIENT: URBAN LAND CORPORATION 1508 Eastern Town WALK MELBOURNE VIC

ARCHITECT: HATCHER HATCHER SPOT CORPORATION OF ARCHITECTS

DATE: 15/01/2015

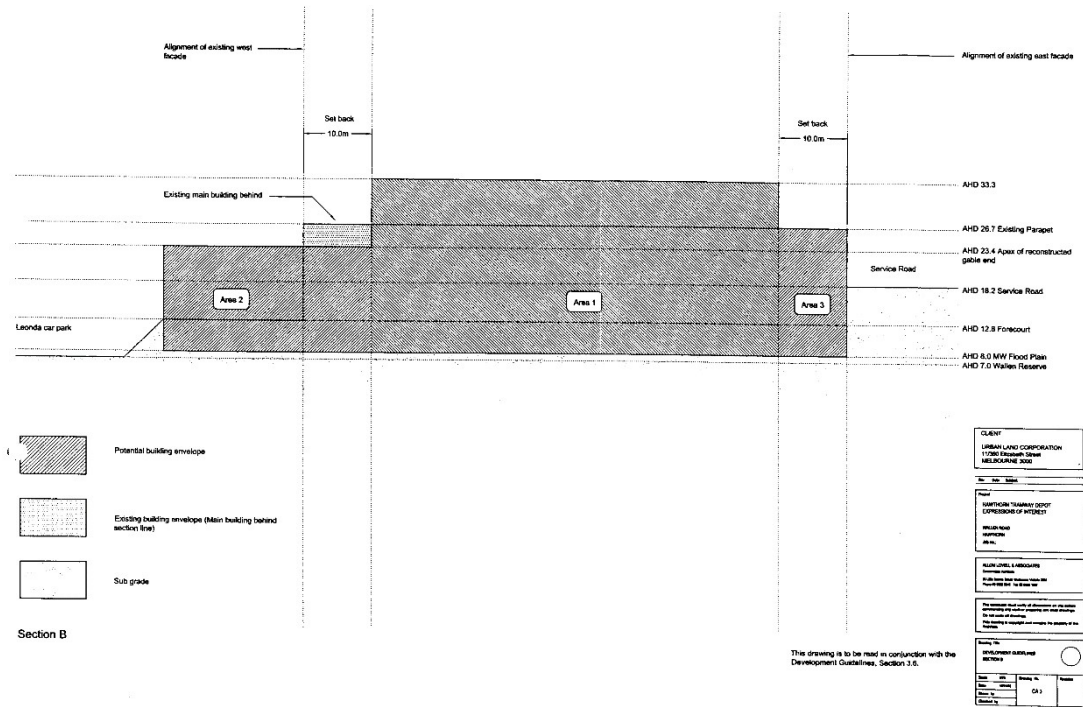
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THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE DEVELOPMENT GUIDELINES, SECTION 3.1.

BOROONDARA PLANNING SCHEME

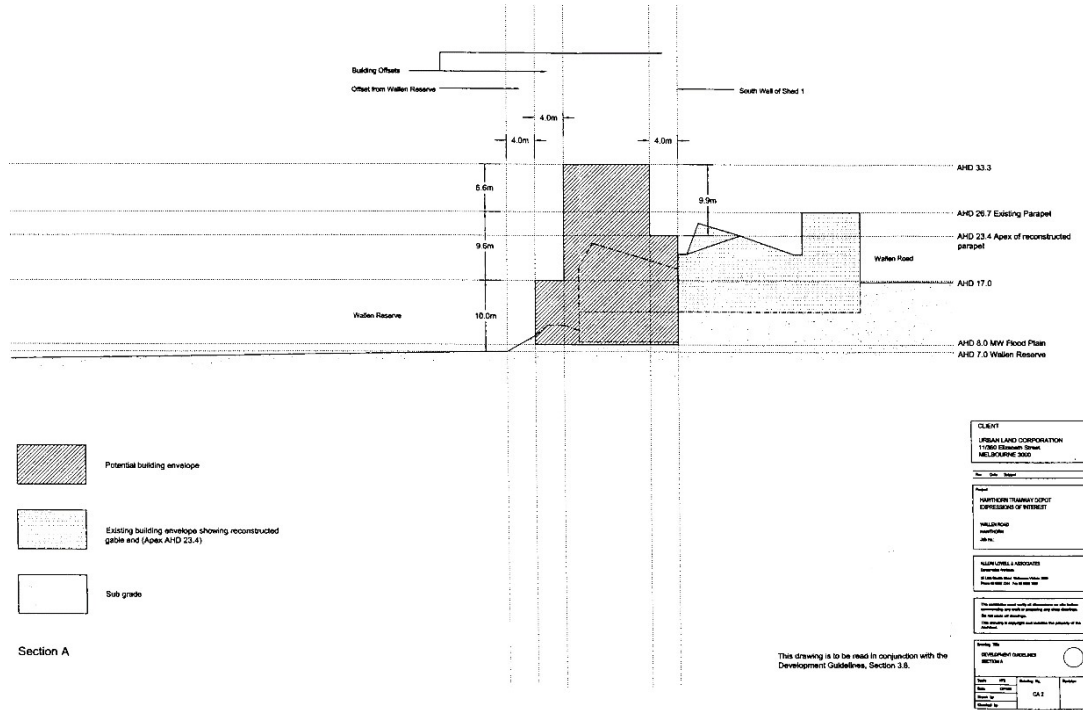
Map 2 to Schedule 6 to Clause 43.02

- 22 -

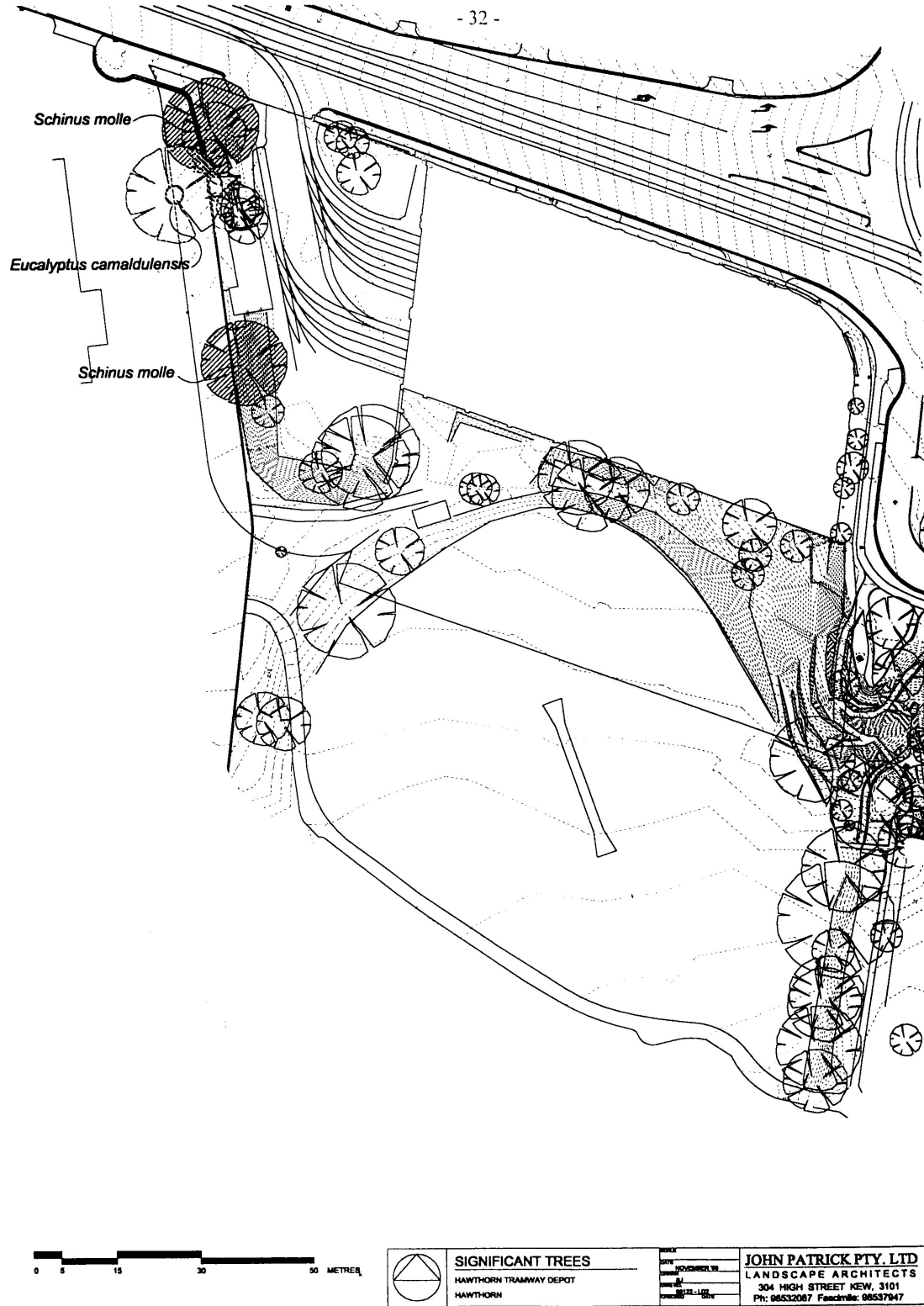


BOROONDARA PLANNING SCHEME

Map 3 to Schedule 6 to Clause 43.02



Map 4 to Schedule 6 to Clause 43.02



28/07/2022
C313boro

SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**.

5-9 BURWOOD ROAD, HAWTHORN

1.0

28/07/2022
C313boro

Design objectives

To protect surrounding residential areas and abutting residential properties from traffic and parking and any adverse amenity impacts associated with any development on the site.

To recognise and protect the amenity of St James Park and the West Hawthorn Precinct heritage area.

To recognise the site as an important gateway site to the West Hawthorn activity centre and to the City of Boroondara generally.

To encourage development on the site that complements the established built scale of the Burwood Road office precinct.

2.0

28/07/2022
C313boro

Buildings and works

A permit cannot be granted to construct a building or construct or carry out works above natural ground level which is not in accordance with the following requirements:

Building height, mass and setbacks

- No buildings (with the exception of parapets, balustrades or architectural features) are to be constructed outside the Building Envelope Plan, as shown on Building Envelope Plan - Plan View 1 and Building Envelope Plan - Plan View 2 to this Schedule.

Vehicular access

- There is to be no vehicular access for any commercial use from Lennox Street.
- The development must provide adequate off-street parking provision for the tenants of the building. In this respect, the development must provide a minimum of 3.5 spaces to each 100 square metres of leasable office floor area.

3.0

28/07/2022
C313boro

Subdivision

None specified.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

None specified.

6.0

28/07/2022
C313boro

Decision guidelines

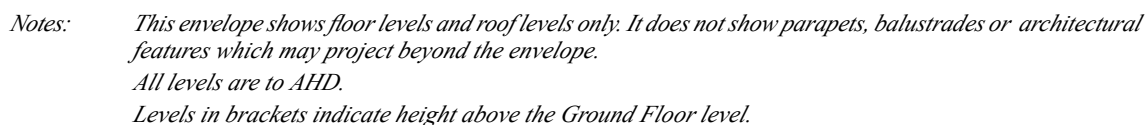
Buildings and works

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

- Whether the development's interface responds to adjoining commercial, residential and public open space (St James Park) areas.

- Whether the development reinforces the gateway to the West Hawthorn activity centre and to the City of Boroondara generally.
- Whether the bulk, location and external appearances of any proposed buildings and works and/or subdivision are in keeping with the character and appearance of adjacent buildings, the streetscape and the area.
- The effect of the development on the amenity of neighbouring residential properties.
- Whether the design, form, layout, proportions and scale of any proposed buildings and works are compatible with the period, style, form, proportions and scale of any identified heritage places surrounding the site.
- The impact of the development's detailed design and form on the historic character of St James Park to the west.
- Whether proposed landscaping or the removal of vegetation is in keeping with the character and appearance of the streetscape and adjoining areas.
- The layout and appearance of areas set aside for car parking, vehicular access, loading and unloading, and the location of any proposed off-street car parking.
- The views of Melbourne Water in relation to any application for buildings and/or works.
- Whether the interface of the development to adjoining streets incorporates appropriate design forms, such as fenestrated walls and entrance definition.
- Whether the location, design and overall appearance of plant and equipment (including lift shafts and ventilation mechanisms and associated screening) are designed and sited to ensure they are not visible from the surrounding areas (including the opposite side of adjoining streets and surrounding residential properties which are likely to be significantly affected) so as not to detract from the overall appearance of the building.
- If the provision of weather protection along Burwood Road improves pedestrian amenity and protection.
- Whether the use of colours, materials and building form and setback articulate and moderate building mass.
- Whether the landscape treatment to Lennox Street contributes to the residential character of the street.
- Whether the landscape treatment to Barton Street reflects the vegetated nature of St James Park opposite, providing both a soft and hard landscaped interface to reinforce and complement the landscape character of this part of Barton Street in contrast to the Burwood Road frontage.
- Whether the Burwood Road landscape treatment contributes to the improvement of the Burwood Road streetscape.
- Whether the proposed signage minimises the amenity impacts on:
 - Adjoining residential areas.
 - St James Park.
 - The visual appearance of the gateway.
 - Adjoining streetscapes.

Building Envelope Plan - Plan View 1

[illegible]

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28/07/2022
C313boro

SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO12**.

WEST HAWTHORN AREA

1.0

28/07/2022
C313boro

Design objectives

To implement the West Hawthorn Urban Design Framework (2006).

To ensure new development does not compromise significant view corridors, particularly views of the Hawthorn Town Hall and the Church of the Immaculate Conception.

To encourage built form that does not cause unreasonable amenity impacts on adjacent residential areas and minimises the negative impacts of overlooking, overshadowing, noise and visual bulk.

To encourage activated street frontages for buildings built to the street and landscaping at residential interfaces to soften built form.

To ensure development on the north side of Burwood Road allows the potential for adequate solar access to the south side of Burwood Road at the equinox.

To encourage development which incorporates ecologically sustainable energy, water and construction principles in its design.

2.0

28/07/2022
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Buildings and works

The following requirements apply to development:

A permit cannot be granted to vary any Mandatory Requirements in this Schedule.

The responsible authority may waive or reduce a requirement for information if it considers it to be not relevant to an application.

An application which does not meet the discretionary building height or setbacks specified in this schedule must demonstrate that the proposed development will continue to meet the relevant design objectives.

Building height

Building services, plant and infrastructure including but not limited to air conditioning units, masts, stairwells and liftwells may exceed the specified building height by up to 3 metres provided that:

- Requirements relating to the design and siting of building services, plant and infrastructure are met.
- Requirements for setbacks are met.

DDO12: West Hawthorn Area – All Precincts

The precincts are as identified on Map 1 forming part of this schedule.

Note: Precinct numbering originates in the West Hawthorn UDF. Controls for Precincts 2 and 7 were not adopted.

Requirements

General requirements

- Buildings should minimise the impact on the amenity of residentially zoned land having regard to matters such as overlooking, overshadowing or visual bulk.
- All development on land abutting residentially zoned land or separated from residential land by a laneway, should comply with the relevant objectives and standards of Clause 55.04 and the Guidelines for Higher Density Residential Development (DSE 2004) as appropriate.

- Facades, side and rear walls that are visible from the public realm or from residential areas should be articulated to a high standard and consideration should be given to the proposed fenestration.
- Development along Burwood Road should have a zero setback and extend across the full width of the lot at least at ground floor level except where access requirements do not allow this.
- Where it is necessary to set back a building from the zero setback point, the treatment of the setback should not create a barrier between the street and the building. Existing mature vegetation should be retained and buildings designed to protect the vegetation.
- Development on the north side of Burwood Road should ensure reasonable solar access to the south side of Burwood Road at the equinox.
- Streets, lanes and walkways should be well lit to enhance public safety and useability.
- Loading bays, site storage and waste collection areas should be appropriately screened from public view.
- Building services, plant and infrastructure structures should integrate with the architecture of the host building.
- Developments should apply current best practice and emerging technology in energy and water conservation.
- Developments should incorporate Water Sensitive Urban Design where appropriate to improve the quality of storm water leaving the area.
- Rainwater retention for reuse should be incorporated into the design of all new buildings.
- Stormwater detention should be evaluated and employed as a solution to infrastructure limitations.
- Developments should use permeable surface coverings wherever practicable.
- Vehicular access should not be from Burwood Road where there are other options for vehicular access.
- Car parking and garage doors should not dominate the streetscape. Basement car parks should be located fully below street level when fronting Burwood Road and Glenferrie Road.
- New development should incorporate environmentally sustainable design features.

DDO12-1: Precinct 1 - Office and Housing

Design objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate substantial change.
- To promote a precinct that has a high degree of design flexibility and can absorb and pioneer a variety of architectural styles, high quality contemporary architecture and innovative design solutions.
- To encourage built form and landscape design that identify the commencement of the western end of the West Hawthorn neighbourhood activity centre.
- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.

Requirements

General requirements

- The hard edges of buildings to the street frontage should maintain a human scale. Higher built form elements should be setback so that buildings do not unreasonably dominate the streetscape when viewed from the opposite side of the street.
- At the 5m setback from residentially zoned properties, new buildings should have a maximum building height of 7m, and thereafter should be setback 1m for every 0.3m in building height.

Mandatory requirements

- Building height must not exceed 16 metres, other than at 46-52 Burwood Road, Hawthorn which must not exceed 24 metres. For the purposes of this site, building height is the vertical distance between the footpath at the centre of the site frontage and the highest point of the building.
- At the street frontage buildings must have a maximum building height of 10 metres. Thereafter buildings must be setback a minimum of 5 metres.
- If a rear boundary abuts residentially zoned property, new development must be setback 5.0m from this property boundary. The setback must be landscaped.

DDO12-3: Precinct 3 - The West Hawthorn Village

Design objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate incremental change.
- To ensure built form and landscape outcomes respect and enhance the character of the precinct.
- To maintain streetscape rhythm.
- To provide for active frontages along Burwood Road and Power Street.
- To maintain the current human / pedestrian friendly scale of development.
- To create and reinforce local spaces for passive recreation.
- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.

Requirements

- Narrow buildings should not be consolidated into a single wider building.
- Building Height should not exceed 9 metres at the street frontage. Any storey beyond the street frontage should be setback a minimum of 5 metres so that buildings do not unreasonably dominated the streetscape when viewed from the opposite side of the street. Overall Building Height should not exceed 11 metres. This does not apply to Hawthorn Square (88-114 Burwood Road) or the car park to the rear of Hawthorn Square (124-128 Power Street).
- At Hawthorn Square (88-114 Burwood Road) and the car park to the rear of Hawthorn Square (124-128 Power Street) Building Height should not exceed 16m. At the street frontage the Building Height should not exceed 10 metres. Above that height, buildings should be setback a minimum of 5 metres.
- New buildings adjoining residential properties should provide transitional height and setbacks to limit the impact of overshadowing and overlooking, and reduce the visual bulk of upper levels.

- Building heights and setbacks of all non residential and residential buildings in relation to the adjoining a residential boundary should be in accordance with the provisions of Clause 55.04 for development up to 9 metres. Where development exceeds 9 metres, regard should be given to the directions of Clause 58.01.
- Reinforce the area at the Power Street and Burwood Road corner of Hawthorn Square (88-114 Burwood Road) as an important local space for passive recreation.

DDO12-4A: Precinct 4A - Mixed Use North

Design objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate substantial change.
- To promote a precinct that has a high degree of design flexibility and can absorb and pioneer a variety of architectural styles, high quality contemporary architecture and innovative design solutions.
- To ensure the southern edge of the precinct abutting Burwood Road promotes active street frontages and complements the high quality pedestrian environment in this location.
- To encourage utilisation of Lynch Street for vehicular access.
- To provide for active frontages along Burwood Road and Power Street.
- Development should provide casual surveillance of Tweed Street and Golding Street where this does not compromise the amenity of adjacent residential land uses.

Requirements

General requirements

- Development should ensure the potential for adequate sunlight penetration to the southern footpath of Burwood Road at the equinox.
- Development should provide active frontages along Burwood Road, Lynch Street and Power Street.

Mandatory requirements

- Buildings Height must not exceed 18 metres.
- At the Burwood Road street frontage, the Building Height must not exceed 12 metres.
- Any additional height above 12 metres must be set back a minimum of 5 metres from the Burwood Road frontage, so that buildings do not unreasonably dominate the streetscape and maintain adequate sunlight penetration to the south side of Burwood Road at the equinox.
- At street frontages other than those to Burwood Road, Building Height must not exceed 18 metres.

DDO12-4B: Precinct 4B - Mixed Use South

Design objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate substantial change.
- To promote a precinct that has a high degree of design flexibility and that can absorb and pioneer a variety of architectural styles, high quality contemporary architecture and innovative design solutions.
- To ensure the northern edge of the precinct abutting Burwood Road promotes active street frontages and complements the high quality pedestrian environment in this location.

- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.
- To ensure new buildings respect and complement heritage buildings.
- To ensure vehicular access arrangements have minimal impact on residential amenity in Manningtree Road.
- To promote active frontages along Lavidge Street, Thomas Street, Drill Street, Elizabeth Street, Guest Street, Cook Street and Luton Lane where this does not compromise the amenity of adjacent residential land uses with respect to noise, loss of privacy and poor visual amenity.

Requirements

General requirements

- The hard edges of buildings to the street frontage should maintain a human scale.
- At the 5 metres setback from residentially zoned properties, new buildings should have a maximum building height of 7 metres, and thereafter should be setback 1m for every 0.3m in building height.
- Development should provide for active frontages along Burwood Road, Power Street and Luton Lane.
- New development should provide a landscaped buffer that when fully matured will substantially screen buildings adjoining the Manningtree Road properties.

Mandatory requirements

- Building Height must not exceed 18 metres.
- At all street frontages, the Building Height must not exceed 12 metres.
- Any additional height above 12 metres must be set back a minimum of 5 metres from the street frontage, so that buildings do not unreasonably dominate the streetscape.
- If a rear boundary abuts residentially zoned property, new development must not be located within 5.0m of this property boundary, and the setback must be used as a significant landscape buffer.

DDO12-5: Precinct 5 - Transit Oriented Development

Design objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate incremental change.
- To maintain the service role of Lynch Street and promote residential development at the eastern and western ends of the precinct.

Requirements

- Buildings should be well articulated, minimise overlooking, overshadowing and noise impacts and respond positively to the public realm.
- Building Height should not exceed 9 metres.

DDO12-6: Precinct 6 - Glenferrie Road Quarter

Design objectives

- To encourage built form outcomes that are consistent with the precinct's ability to accommodate incremental change.

- To reinforce the existing retail and commercial character of the area, including community and professional services.
- To ensure built form and landscape outcomes respect and enhance the character of the precinct.
- To ensure that the built form and landscape outcomes of new developments minimise impacts on residentially zoned land.
- To maintain streetscape rhythm, traditional narrow buildings should not be consolidated into single wider buildings.
- To provide for active frontages along Burwood Road and Glenferrie Road.
- To provide for active frontages along Luton Lane where this does not compromise the amenity of adjacent residential land uses with respect to noise, loss of privacy and poor visual amenity.
- To protect existing residential areas from unreasonable loss of amenity.
- To ensure building heights and setbacks maintain reasonable amenity to existing residential properties.

Requirements**General requirements**

- New development along Burwood Road should extend across the lot at ground floor level to prevent the creation of concealed spaces and to continue the consistent character along Burwood Road.

Mandatory requirements

- Building Height must not exceed 16 metres.
- At all street frontages the Building Height must not exceed 10 metres. Thereafter buildings must be setback a minimum of 5 metres.
- New buildings adjoining residential properties should provide transitional height and setbacks to limit the impact of overshadowing and overlooking, and reduce the visual bulk of upper levels.
- Building heights and setbacks of all non residential and residential buildings in relation to the adjoining a residential boundary should be in accordance with the provisions of Clause 55.04 for development up to 9 metres. Where development exceeds 9 metres, regard should be given to the directions of Clause 58.01.

3.0

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Subdivision

A permit is required to subdivide land.

In considering an application for the subdivision of land in precincts 1, 4A and 4B, the responsible authority must consider the preferred land uses for the precinct and whether the proposed subdivision will prejudice the outcomes sought in that local policy.

4.0

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Signs

None specified.

5.0

28/07/2022
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Application requirements**Buildings and works**

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

- An urban context report and design response which includes the matters set out in Clause 58.01 of the scheme. The urban context report and design response must show how the development achieves:
 - The Design Objectives of this Schedule and for the relevant precinct.
 - The Mandatory Requirements for the relevant precinct.
 - The Requirements applicable to the relevant precinct.

6.0

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Decision guidelines

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

- The design objectives and requirements for the area and relevant precinct.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management control works in the neighbourhood.
- Points of access to and from the land and whether they are suitably located.
- The views of Vic Roads, Melbourne Water and / or Yarra Valley Water with respect to the impact of a proposal on existing infrastructure capacity.

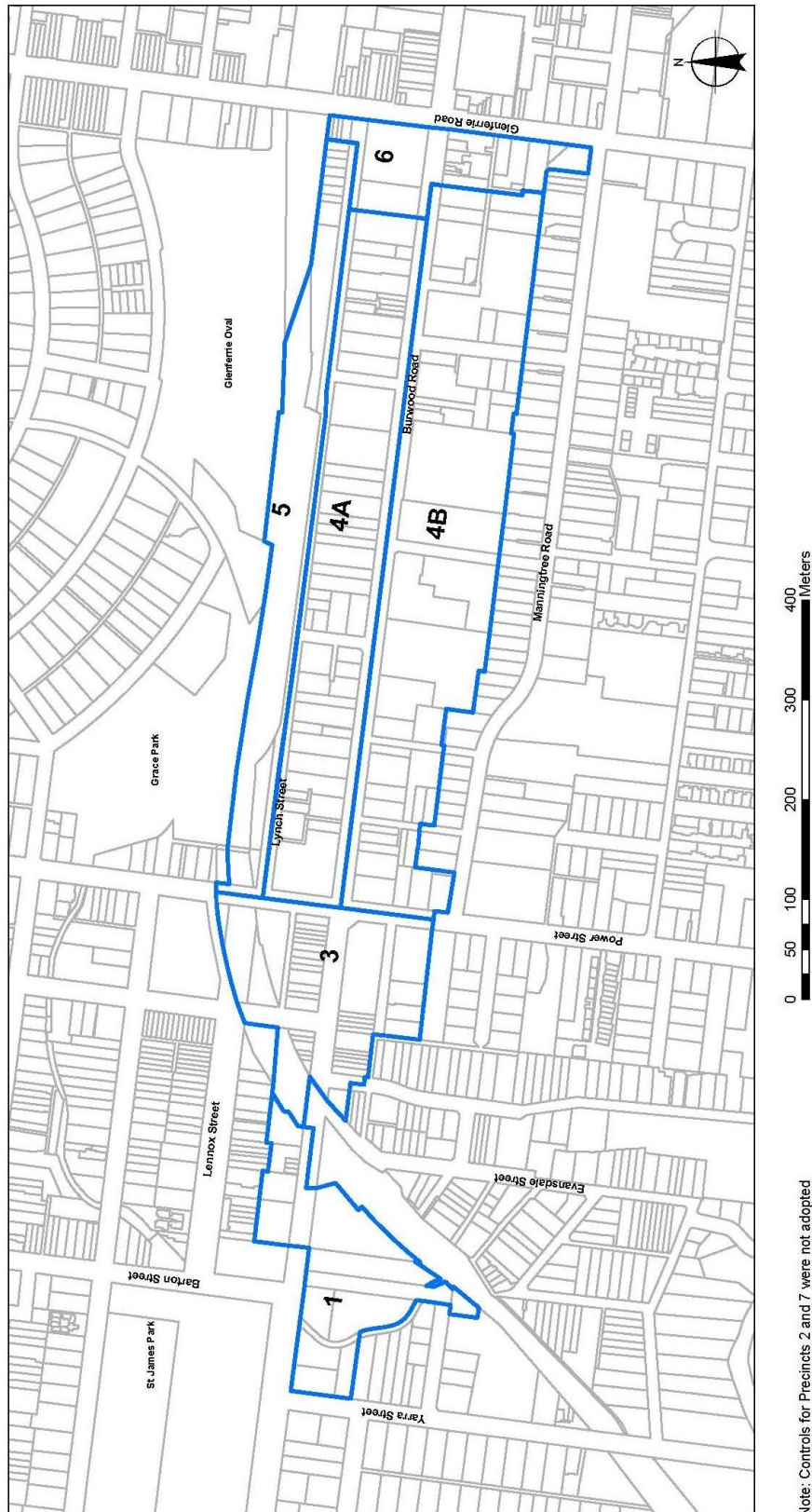
7.0

Transitional arrangements

The requirements of this overlay do not apply to any planning permit application lodged before 26 April 2013.

Map 1 to Schedule 12 to Clause 43.02

WEST HAWTHORN AREA AND PRECINCTS



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SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO14**.

KEW JUNCTION ACTIVITY CENTRE

1.0

04/05/2017
C230

Design objectives

To achieve innovative, high quality architectural design that makes efficient use of land whilst enhancing the appearance and strengthening the identity and built form character of the activity centre.

To ensure development respects the significance of heritage sites and precincts.

To respect the character and amenity of adjacent residentially zoned land and public open spaces.

To encourage development that supports alternative modes of travel such as walking, cycling and public transport.

To create a safe, accessible pedestrian environment for all groups of the community.

To encourage development that is ecologically sustainable.

2.0

28/07/2022
C313boro

Buildings and works

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 facade 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.

Application requirements

An application to develop land should include, as appropriate, the following information to the satisfaction of the responsible authority:

- A statement addressing the design objectives and requirements for the centre and for the individual precincts as set out in this Schedule.
- An urban context report and design response. The urban context report and design response must show how the development addresses and achieves:
 - The design objectives of this schedule and for the relevant precinct.
 - The General Requirements of the relevant precinct.
 - For development of five or more storeys, the matters set out in Clause 58.01
- An Environmental Sustainability Design Statement, which demonstrates how ecologically sustainable design and Water Sensitive Urban Design principles have been incorporated into the development.

The responsible authority may waive or reduce a requirement for information if it considers it to be not relevant to an application.

Variations to the requirements of this schedule

An application to vary the requirements in this schedule (including preferred building heights) must:

- Identify the design objectives and design requirements specified in this schedule that will be achieved by the proposal.
- Include an assessment of how any departure from a preferred building height or building setback specified in this schedule assists the proposal to achieve the design objectives and design requirements specified in this schedule.
- Demonstrate that the proposal will achieve the following outcomes (as appropriate):
 - A high standard of architectural design.
 - Innovative ecologically sustainable design practices.
 - Minimal overshadowing of adjoining streets, public spaces and residential properties.
 - Minimal impact on the amenity of adjoining residential precincts.
 - Respect for places subject to the Heritage Overlay.
 - Transitions in scale to lower building forms.

An application to vary the requirements in this schedule should also identify (where relevant) whether the site has any particular characteristics or features that warrant the variation and an alternative design response.

DDO14 All Precincts

The precincts referred to below are the precincts identified on *Map 1- Kew Junction Activity Centre and Precincts* forming part of this schedule.

General Requirements

Building Design

- Buildings should be designed to respect the amenity of adjoining residentially zoned land having regard to matters such as setbacks, overlooking, overshadowing, noise and/or visual bulk, guided by the objectives and standards of ResCode (Clauses 54 and 55 of the Boroondara Planning Scheme).
- Development should demonstrate high quality architectural design that enhances the appearance and amenity of the centre, whilst complementing its existing character.
- Building facades should be articulated through considered composition of their various design elements. This includes the size and placement of door and window openings, balconies or awnings and the colour and texture of different materials.
- The roof form and building profile of developments should be carefully considered in terms of its appearance within the streetscape and from distant viewpoints to ensure that views to the Holy Trinity Church, the War Memorial and the former Kew Post Office (along High Street) and the Melbourne Chinese Baptist Church (along Cotham Road) are respected.
- The existing horizontal or vertical design rhythms of the streetscape should be maintained, where these are dominant features, by:
 - Referencing the established roof or parapet heights of adjoining buildings, where this is a consistent feature in the streetscape, in the design of a new facade.
 - Maintaining the existing 'fine grain' appearance of buildings created by the narrow shopfronts through vertical articulation in wide building frontages.

- Buildings should incorporate Crime Prevention Through Environmental Design (CPTED) principles and provide active frontages (except where landscape setbacks are required) to streets, parks, public plazas, car parks and pedestrian spaces to increase interaction with and passive surveillance of the public realm.
- New or refurbished buildings should have regard to the incorporation of Ecologically Sustainable Design techniques to improve the thermal efficiency of the building and reduce energy and water consumption such as water efficient fittings and fixtures, recycling and organic waste disposal, solar hot water systems and local energy generation.
- Development should avoid overshadowing of public spaces and private open spaces between the hours of 11am to 3pm on 21 March and 22 September.
- Development should incorporate lighting to enhance the night time appearance of the building and add to pedestrian safety.
- New residential development should be oriented and designed to avoid and protect residents from the amenity impacts of nearby businesses - e.g. through the use of acoustic insulation.
- Development should incorporate weather protection for pedestrians in the form of verandas or awnings.
- Building services and equipment such as air-conditioners, stairwells and lift over-runs should be located to minimise their visibility and should be integrated into the design of buildings.

Heights and Setback

- Building heights and setback are set out in this Schedule for each precinct. The precincts are defined on *Map 1 Kew Junction Activity Centre and Precincts*.
- Landscaped setbacks of a minimum of 2 metres (unless specified otherwise) should be provided where shown on *Map 1 Kew Junction Activity Centre and Precincts* of this Schedule. Within this setback, suitable tree planting and landscaping utilising Water Sensitive Urban Design (WSUD) is encouraged to add visual interest and amenity to the centre.
- Developments should be built to the street edge where shown on *Map 1 Kew Junction Activity Centre and Precincts* of this Schedule. This may be varied, if a setback is:
 - designed as part of the public domain; and
 - fully accessible to the public.

Buildings should provide continuous weather protection along these streets.

Spaces and Access

- Ensure that new or improved pedestrian links are attractive, accessible, identifiable, well connected and safe for both day and night time users of all abilities.
- Ensure development incorporates and encourages sustainable transport options including walking, cycling and public transport.
- The number of crossovers, garages and car park entrances should be minimised. Where possible, car parking should be located underground.
- Encourage design that maximises safety and utilises CPTED principles.
- Encourage the use of landscaping and street tree planting (in accordance with existing Council policies) to increase the amenity of the centre.

DDO14-1 Precinct 1 – Five Ways Intersection

Design Objectives

- To establish a distinct cluster of high scale buildings around the five ways junction.
- To establish a distinct image and improve the visual amenity for the centre at this intersection.
- To provide a transition in scale for development at the edges of the precinct to protect the amenity of adjoining low-rise residential areas.
- To provide a development framework for the VicRoads site.

Requirements

Precinct 1a – Requirements

- Building heights should not exceed an overall height of 28.5 metres.
- At the building frontage, building height should not exceed 18 metres.
- Development above 18 metres should be set back 8 metres from the ground level facade.
- Buildings on the junction corner sites should express their prominent corner location through their built form and architectural detail.

Precinct 1b – Requirements

- Building heights should not exceed an overall height of 11 metres.

Precinct 1c (VicRoads site) – Requirements

- Building heights should not exceed an overall height of 28.5 metres.
- Building heights should not exceed 11 metres within 10 metres of the site boundaries.
- A landscaped setback of a minimum of 5 metres should be provided to Stratford Avenue, Denmark Street and Wellington Street.
- Open spaces and pedestrian connections should be provided throughout the site, with new public open spaces fronting onto Stratford Avenue, away from the traffic of Denmark Street.
- Development should accommodate a pedestrian/cycle pathway with the opportunity for continuing/maintaining a link to Glenferrie, via Le Bray Reserve and Glenferrie Oval.

DDO14-2 Precinct 2 – Retail and Activity Core

Design Objectives

- To facilitate high quality development and reinforce this precinct as the focal point of retail activity in the centre supported by office, residential and community uses.
- To support the activity and vitality of the precinct through the creation of an attractive, safe and pedestrian focussed retail environment.
- To improve pedestrian access to supermarket entrances and minimise pedestrian/vehicular conflict while improving loading arrangements.
- To ensure adequate vehicle and loading access to and from Princess Street is provided.

Requirements

Precinct 2a – Requirements

- Building heights should not exceed an overall height of 18 metres.
- At the building frontage, building height should not exceed 11 metres.

- Development above 11 metres should be set back 5 metres from the front ground level facade.
- Development should be designed and oriented to support and reinforce the creation of a landscaped walkway at the rear of High Street shops from Princess Street through to Walpole Street at the rear of High Street shops by:
 - Upgrading existing laneways and creating a landscaped walkway with seating at intervals for pedestrian use.
 - Ensuring an even building setback line in the redevelopment of the rear of shops.
 - Linking to the existing walkway from Brougham Street to Walpole Street supported by appropriately located pedestrian crossings.
 - Ensuring safe and clear pathways through car parks.
 - Creating new pedestrian links through larger redevelopment sites.
- Development should support the creation of new plaza spaces or small landscaped seating areas along the pedestrian walkway.
- Development should avoid overshadowing of the pedestrian walkway at the rear of High Street shops.
- The established parapet height of the heritage shopfronts of High Street and Cotham Road should be retained as the dominant visual elements in these streetscapes.
- Development adjoining or nearby the former Court House and Police Station and War Memorial should retain the visual dominance of these buildings and complement the scale and form of these heritage buildings.
- Development along Cotham Road should support and reinforce a landscaped pedestrian link to Alexandra Gardens.

Precinct 2b – Requirements

- Building heights should not exceed an overall height of 14.5 metres.
- At the building frontage, building height should not exceed 11 metres.
- Development above 11 metres should be set back 5 metres from the front ground level facade.

Precinct 2c – Requirements

- Building heights should not exceed an overall height of 11 metres.
- Development should take advantage of the fall in the land across the car park to the south to assist in providing access to basement car parking.
- Development should support and reinforce pedestrian connections to the northern side of High Street and through to Denmark Street.

DDO14-3 Precinct 3 – High Street East

Design Objectives

- To enhance this precinct as an attractive, safe and pedestrian focussed mixed use area with improved pedestrian linkages to Precinct 2 and community facilities within the precinct.
- To create a more consistent building scale along the High Street corridor.

Requirements

Precinct 3 – Requirements

- Building heights should not exceed an overall height of 18 metres.
- At the building frontage, building height should not exceed 11 metres.
- Development above 11 metres should be set back 5 metres from the front ground level facade.
- Development or refurbishment of existing buildings should improve the architectural quality of the precinct and promote a more consistent building scale along the street edge.
- Development should provide landscaping within building frontages where landscaped setbacks are required through further tree planting of substantial canopy trees.
- Development should support opportunities for improved access to community facilities such as the Kew Primary School and the Kew Recreation Centre
- Development should support rear laneways for pedestrian access where appropriate.

3.0

04/05/2017
C230

Subdivision

A permit is required to subdivide land.

4.0

28/07/2022
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Decision guidelines

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

- The design objectives and requirements of this schedule.
- The urban context and design response, where required.
- Potential amenity impacts upon adjoining residential properties.
- Whether the proposal incorporates ecologically sustainable design practices.
- The impact of the proposal upon the significance of identified heritage places.
- The objectives and strategies of the *Kew Junction Structure Plan 2009 (updated 28 December 2011)*.

5.0

04/05/2017
C230

Exemption from Notice and Review

An application to construct a building or carry out works or 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.

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 land in a Public Acquisition Overlay to be acquired for a hospital.
- An application for buildings and works that exceeds the relevant building height requirements or does not meet the relevant setback requirements of this schedule.

6.0

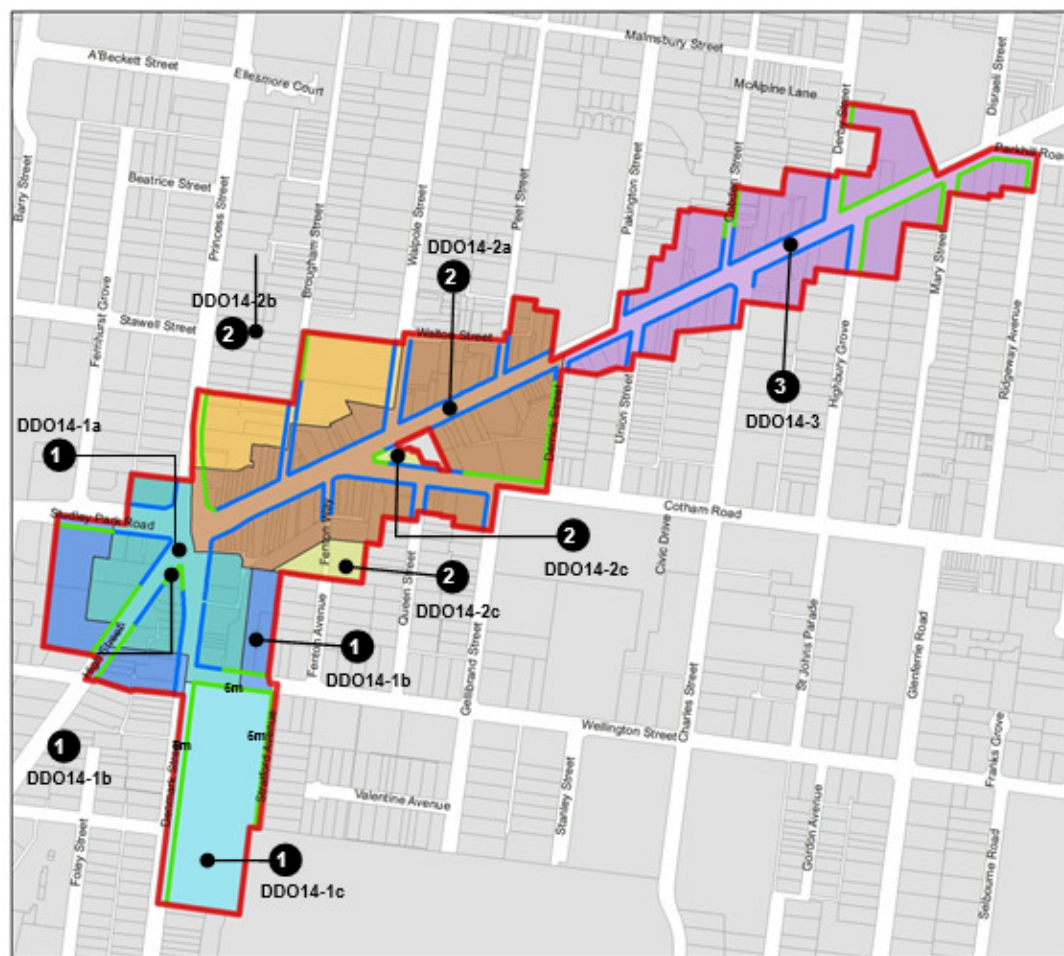
28/07/2022
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Background documents

Kew Junction Structure Plan (City of Boroondara 2009; updated 28 December 2011)

Map 1 to Schedule 14 to Clause 43.02

Map 1: Kew Junction Activity Centre and Precincts



- | | | |
|---|---|--|
| Activity Centre Boundary | DDO14-Precinct 1a
Overall building height: 28.5m
Maximum height at building frontage: 18m
Levels above 18m set back 8m | DDO14-Precinct 2a
Overall building height: 18m
Maximum height at building frontage: 11m
Levels above 11m set back 5m |
| Built form to be built to the street edge (0m front setback) | DDO14-Precinct 1b
Overall building height: 11m | DDO14-Precinct 2b
Overall building height: 14.5m
Maximum height at building frontage: 11m
Levels above 11m set back 5m |
| 2m Landscape setback (Unless otherwise indicated) | DDO14-Precinct 1c
Overall building height: 28.5m
Maximum height of 11m within 10m of site boundary
Levels above 11m set back 5m | DDO14-Precinct 2c
Overall building height: 11m |
| | | DDO14-Precinct 3
Overall building height: 18m
Maximum height at building frontage: 11m |

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SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

GLENFERRIE ACTIVITY CENTRE

1.0

28/07/2022
C313boro

Design objectives

To protect and enhance the identity and character of the centre.

To ensure development respects the significance of heritage sites and precincts.

To respect the character and amenity of adjacent residential areas.

To achieve a high standard of architecture and urban design.

To encourage development that is ecologically sustainable.

To encourage development that supports alternative modes of travel such as walking, cycling and public transport.

To create a safe environment that is conducive to walking, cycling and public transport use at all times of the day.

2.0

28/07/2022
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Buildings and works

A permit is required to construct a building or construct or carry out works, unless otherwise stated in this schedule.

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building facade 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.

Exemption from notice and review

An application to construct a building or carry out works or 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.

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 land in a Public Acquisition Overlay to be acquired for a hospital.
- An application for buildings and works that exceeds the relevant building height requirements or does not meet the relevant setback requirements of this schedule, except for an application within Areas 1, 2 and 3 shown on *Map 2 - Swinburne University Campus*.

All precincts

The precincts referred to below are the precincts identified on *Map 1- Building Heights and Setbacks* and *Map 2 – Swinburne University Campus* forming part of this schedule.

General requirements

Building setbacks

- Developments should be built to the street edge where shown on *Map 1 - Building Heights and Setbacks* and *Map 2 - Swinburne University Campus* and create a consistent street edge. This may be varied, if a setback is:
 - Designed as part of the public domain.
 - Fully accessible to the public.
- Buildings should provide continuous weather protection along these streets.
- Where a zero front setback applies, development above 11 metres in height should be setback a minimum of 5 metres behind the street wall.

Built form

- Development must demonstrate a high quality architectural design that complements the older buildings in the centre and enhances the centre's eclectic character.
- A consistent street wall parapet height should be created along Burwood Road and Glenferrie Road.
- Building services and equipment such as air-conditioners, stairwells and lift over-runs must be located to minimise their visibility from public places and be integrated into the design of buildings.
- Development should provide appropriately proportioned ground floor spaces that can accommodate a wide range of retail and commercial uses.

Public realm

- Development should be designed to provide passive surveillance (including at upper levels) of the public realm, and where practical, activation of streets, parks, public plazas, laneways and car parks. Blank walls along secondary street frontages are discouraged.
- Transparent glazing and pedestrian entrances should be provided at street level along the primary street frontage.
- Development should incorporate ground floor spaces that allow for uses that provide interaction with the street and enhance the pedestrian environment.
- Development should incorporate external lighting to enhance the night time appearance of the buildings and add to pedestrian safety at night.
- Development should avoid overshadowing of public spaces between 11am and 3pm, measured on 21 March and 22 September.

Residential amenity

- Dwellings should achieve a high level of internal amenity and demonstrate how accesses to natural daylight and ventilation and visual privacy has been maximised.
- The layout of apartments should take into consideration amenity impacts from nearby businesses, roads and public transport and mitigate potential amenity impacts for future occupants.
- Development on land abutting a residential zone, or separated from a residential zone by a laneway, should be setback from the side and/or rear boundary of the land in a residential zone in accordance with Clause 55.04-1 Standard B17 of the Planning Scheme. A laneway can be included as part of the setback calculation.
- Development abutting a residential zone should be designed to minimise impacts on adjoining residences and demonstrate how overlooking and overshadowing impacts have been addressed in accordance with the objectives and standards Clause 55 of the Planning Scheme.

- Building services and equipment should be screened from view of abutting residences and located to minimise noise impacts on surrounding residential areas.
- Development should not unreasonably compromise the development opportunity of adjacent properties by maintaining equitable daylight access.

Ecological sustainable development

- New or refurbished buildings should have regard to the incorporation of Ecologically Sustainable Design practices to improve the thermal efficiency of the building and reduce energy and water consumption such as water efficient fittings and fixtures, recycling and organic waste disposal, solar hot water systems and local energy generation.

Access

- Garages and driveways should be accessed from laneways and side streets in preference to Glenferrie Road and Burwood Road.
- Pedestrian access to upper levels should occupy no more than 2 metres of the site frontage and minimise the loss of active retail and/or commercial frontage to the street.
- New buildings should provide direct pedestrian access from both the street and from residential and visitor car parking. Provision of pedestrian access from service lanes or parking areas only is discouraged unless it can be demonstrated that pedestrian access cannot be provided in any other form.
- If a laneway is to be used for pedestrian access, a safe pedestrian environment should be provided including (but not limited to) the provision of external lighting, unobstructed view lines and passive surveillance of the laneway.

Parking

- Development should include spaces for bicycle parking and/or designated parking spaces for a car sharing scheme or similar sustainable transport initiatives.

Precinct 1 - Mixed Use

Design objectives

- To maintain the predominant low to medium scale character of the area while allowing for retail, office, commercial and residential growth.
- To maintain vistas to key landmark buildings in the centre.

Requirements

Precinct 1 – Requirements

- Development should not exceed an overall building height of 21.5 metres.
- Development above 11 metres in height should be set back a minimum of 5 metres behind the street wall.
- Development should respect views to the Immaculate Conception Church (along Glenferrie Road) and the Hawthorn Town Hall clock tower (along Burwood Road).
- The facade of developments on wide frontages should incorporate vertical and horizontal elements that reinforce the fine grain pattern of development that is typical along Glenferrie Road.

Precinct 1A - Kent Street/Town Hall Car Park

Design objectives

- To ensure development respects the sensitive interface to residential land on the east side of Kent Street.

Requirements

Precinct 1a – Requirements

- Development should not exceed an overall building height of 21.5 metres.
- Development above 11 metres in height should be set back a minimum of 5 metres behind the street wall, except for development fronting Kent Street.
- Development fronting Kent Street:
 - Should provide a landscaped setback of a minimum of 2 metres where shown on *Map 1 - Building Heights and Setbacks*.
 - Should not exceed 7.5 metres within 7 metres of the street frontage.
 - Should not exceed 11 metres within 10 metres of the street frontage.

Precinct 2 - Retail Core

Design objectives

- To maintain and enhance the heritage character and fine grain pattern of development that is characteristic of the streetscape in this precinct.
- To maintain vistas to key landmark buildings in the centre.

Requirements

Precinct 2 – Requirements

- Development should not exceed an overall building height of 18 metres.
- Development above 11 metres in height should be set back a minimum of 5 metres behind the street wall. A greater setback may be required to protect adjoining heritage buildings or vistas.
- Buildings should respond to the parapet height of adjoining "significant" or "contributory" heritage buildings by either matching the height of the abutting parapet or assuming the average height of the parapet of the two abutting buildings.
- Development should respect views to the Immaculate Conception Church (along Glenferrie Road) and the Hawthorn Town Hall clock tower (along Burwood Road).
- Narrow shopfronts at ground level should maintain and enhance the existing fine grain rhythm of streetscapes.
- Buildings should incorporate vertical and horizontal elements that relate to the proportions of the heritage buildings in the streetscape.
- Development should conserve and enhance the significance of identified heritage places and the character of the centre.

Precinct 3 – Transition Zone

Design objectives

- To provide a transitional scale from the low rise commercial buildings at the street edge to the high scale buildings in the centre of Swinburne University and around the Telstra Tower.

- To enhance the pedestrian environments of Alfred Street, the Don Arcade, Wakefield Street and pedestrian walkways to the railway station.
- To respect the laneway character of the Don Arcade.

Requirements

Precinct 3 – Requirements

- Development should not exceed an overall building height of 32 metres.
- Development above 11 metres in height should be set back a minimum of 5 metres behind the street wall.
- The ground floor of new development should provide space suitable to accommodate a wide range of uses that encourage interaction with the street and provide passive surveillance of pedestrian walkways and streets, particularly to Alfred Street, the Don Arcade and Wakefield Street.

Precinct 4 – High Scale Cluster

Design objectives

- To create a distinct character, distinguishable from the low to medium scale development in the rest of the centre by clustering high scale buildings within a defined area.
- To improve long range views of the cluster of tall buildings around the Telstra Tower.
- To enhance the pedestrian environment of the pedestrian walkways to the railway station.

Requirements

Precinct 4 – Requirements

- Development should not exceed an overall building height of 42.5 metres.
- Any redevelopment of the Serpelle's Lane car park should provide passive surveillance of the pedestrian walkway to the railway station. Space for commercial uses to the pedestrian walkway should also be considered to activate pedestrian links to the train station.

Precinct 5 - Swinburne University

Design objectives

- To provide for expansion of university facilities and complementary uses.
- To ensure integration of the university campus with the commercial developments along Burwood Road and Glenferrie Road.
- To ensure development respects the amenity of adjoining residential and open space areas.
- To ensure that the campus has a positive contribution to the character of the area.
- To ensure the campus retains an area of public open space along Wakefield Street.

Requirements

Permit not required

A permit is not required for buildings and works in this precinct unless the buildings and works:

- Exceed the overall building height requirements shown on *Map 2 – Swinburne University Campus*.
- Exceed a height of 11 metres within 5 metres of a street frontage, including the John Street pedestrian walkway.

Precinct 5 – Requirements

- Buildings should not exceed an overall building height of 18 metres in Area 1 on *Map 2 - Swinburne University Campus*.
- Buildings should not exceed an overall building height of 32 metres in Area 2 on *Map 2 - Swinburne University Campus*.
- Buildings should not exceed an overall building height of 42.5 metres in Area 3 on *Map 2 - Swinburne University Campus*.
- Development above 11 metres in height should be set back a minimum of 5 metres behind the street wall.
- Development should be of a high architectural quality and create a strong presence along Burwood Road.
- Development should create a pedestrian friendly environment at ground level that enhances pedestrian connections through the site, to the surrounding street network and the broader activity centre.
- Development should preserve sunlight access to Central Gardens and the central open space along Wakefield Street.
- Development should respect the amenity of surrounding residential areas.
- Development should ameliorate the wind tunnel effect of John Street and re-enforce the role of John Street as a high quality pedestrian plaza and thoroughfare.

3.0

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Subdivision

A permit is required to subdivide land.

4.0

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Signs

None specified.

5.0

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Application requirements

Buildings and works

An application to develop land must include, as appropriate, the following information to the satisfaction of the responsible authority:

- A statement addressing the design objectives and requirements for the centre and for the individual precincts as set out in this Schedule.
- An urban context report and design response. The urban context report and design response must show how the development addresses and achieves:
 - The design objectives of this Schedule and for the relevant precinct.
 - The general requirements of the relevant precinct.
 - For development of five or more storeys, the matters set out in Clause 52.35.
- An Environmental Sustainability Design Statement, which demonstrates how ecologically sustainable design and Water Sensitive Urban Design principles have been incorporated into the development.

The responsible authority may waive or reduce a requirement for information, if it considers it to be not relevant to an application.

Variations to the requirements of this schedule

An application to vary the requirements in this schedule (including building height requirements) must:

- Identify the design objectives and design requirements specified in this schedule that will be achieved by the proposal.
- Include an assessment of how any departure from a preferred building height or building setback specified in this schedule assists the proposal to achieve the design objectives and design requirements specified in this schedule.
- Demonstrate that the proposal will achieve the following outcomes (as appropriate):
 - A high standard of architectural design.
 - Innovative ecologically sustainable design practices.
 - Minimal overshadowing of adjoining streets, public spaces and residential properties.
 - Respect for places subject to the Heritage Overlay.
 - Transitions in scale to lower building forms.

An application to vary the requirements in this schedule should also identify (where relevant) whether the site has any particular characteristics or features that warrant the variation and an alternative design response.

6.0

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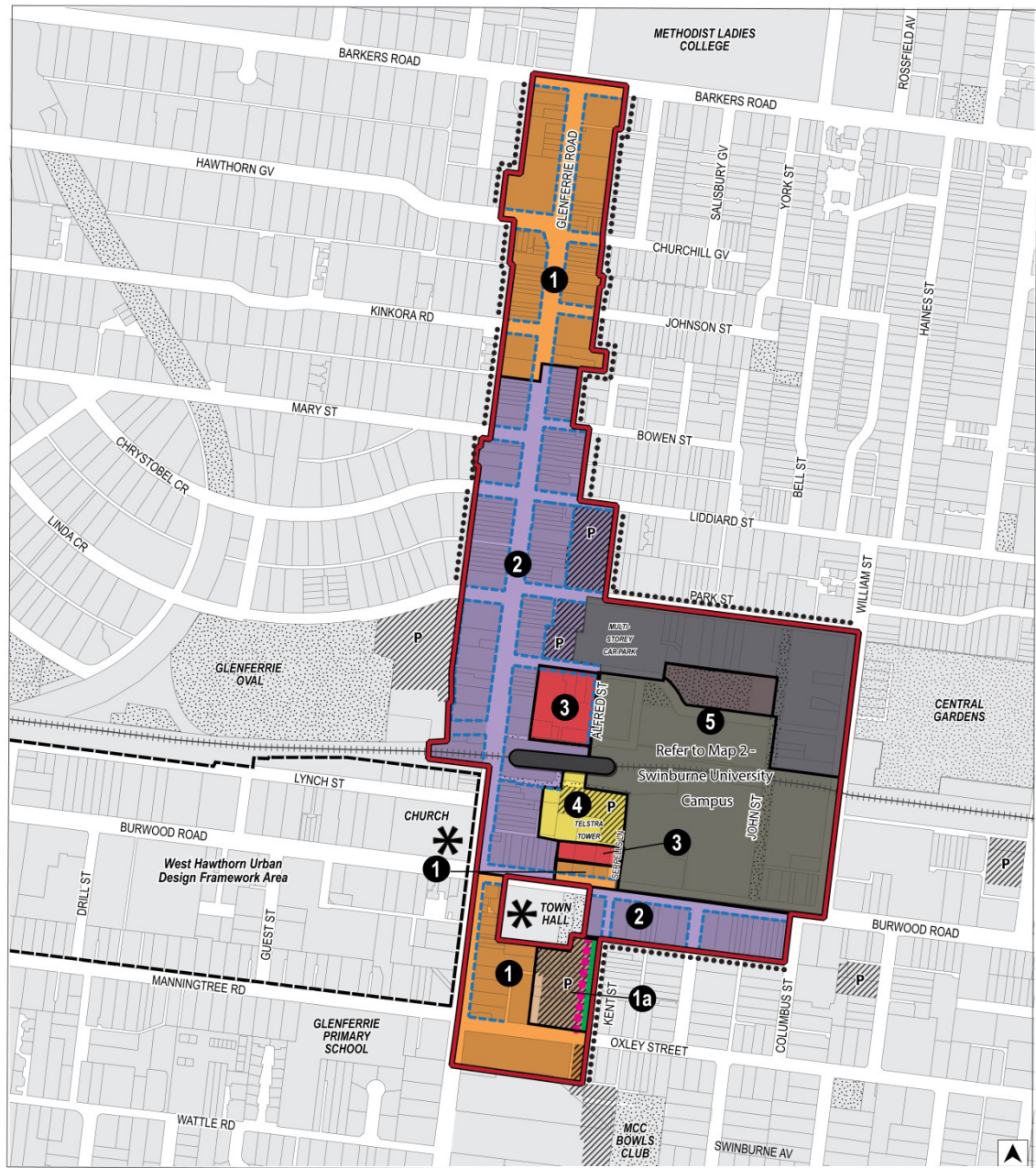
Decision guidelines

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

- The design objectives and requirements of this schedule.
- The urban context and design response, where required.
- Whether the development makes a positive contribution to the overall vitality and viability of the Glenferrie Activity Centre.
- Potential amenity impacts on adjoining residential properties.
- Whether the proposal incorporates ecologically sustainable design practices.
- The impact of the proposal on the significance of identified heritage places.
- The objectives and strategies of the Glenferrie: Heart of Hawthorn Structure Plan.

Map 1 to Schedule 15 to Clause 43.02

Building heights and setbacks



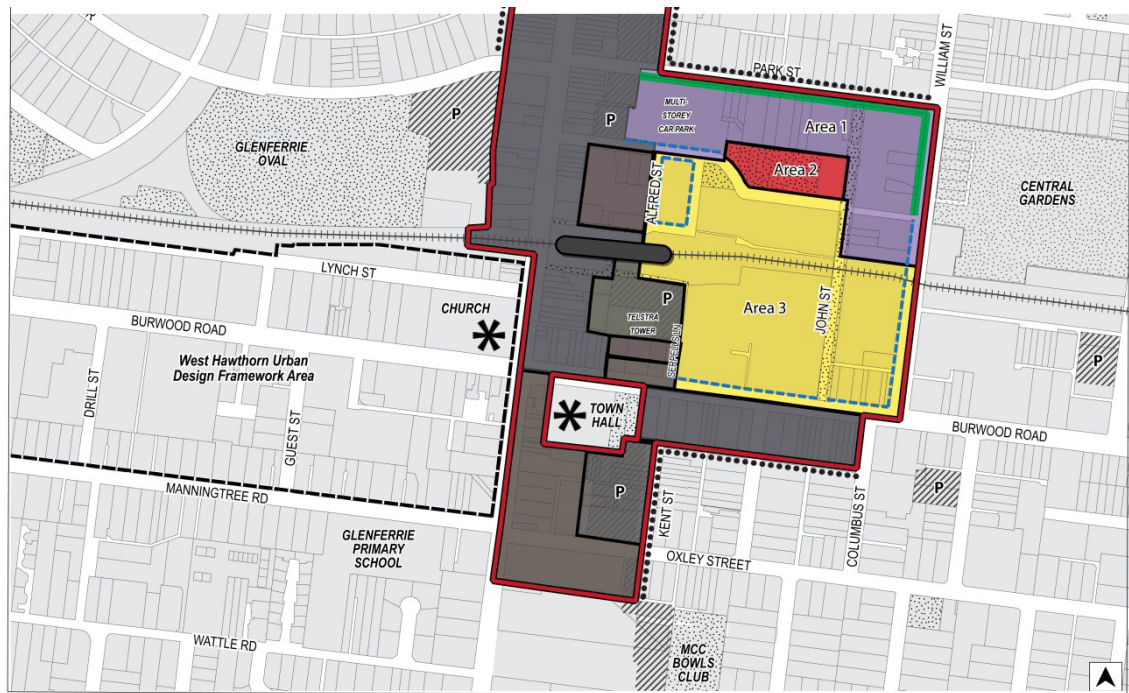
- 1** Precinct 1: Mixed Use
11 metres street wall height, 21.5 metres overall height
- 1a** Precinct 1a: Kent Street/Town Hall Car Park
7.5 metres street wall height, maximum height of 11 metres within 10 metres of Kent Street
21.5 metres overall height, minimum setback of 10 metres from Kent Street
- 2** Precinct 2: Core Retail
11 metres at street edge, 18 metres overall height
- 3** Precinct 3: Transitional Scale Commercial
11 metres at street edge, 32 metres overall height
- 4** Precinct 4: High Scale Cluster
11 metres at street edge, 42.5 metres overall height
- 5** Precinct 5: Swinburne University Campus
Refer to Map 2

- Activity Centre Boundary
- West Hawthorn Urban Design Framework Area
- Open Space/Recreation
- Existing Car Parks

- Sensitive residential interface
- Landscaped setback
- Zero front setback
- Key views to Church Spire and Town Hall

Map 2 to Schedule 15 to Clause 43.02

Swinburne University Campus



- | | | |
|---|---|---|
| 1 Area 1
11 metres at street edge, 18 metres overall height | Activity Centre Boundary | Sensitive residential interface |
| 2 Area 2
11 metres at street edge, 32 metres overall height | West Hawthorn Urban Design Framework Area | Landscaped setback |
| 3 Area 3
11 metres at street edge, 42.5 metres overall height | Open Space/Recreation | Zero front setback |
| Refer to Map 1 of this Schedule | Existing Car Parks | Key views to Church Spire and Town Hall |

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SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO16**.

NEIGHBOURHOOD CENTRES

1.0

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Design objectives

To ensure the height and setbacks of development maintain and enhance the established streetscape and traditional, low-rise, high street character of neighbourhood centres.

To achieve innovative, high quality architectural design that makes efficient use of land while enhancing the appearance and strengthening the identity of the neighbourhood centres.

To ensure appropriate development that is complementary to the existing neighbourhood character and has regard to adjoining residential amenity.

To ensure development respects and enhances identified heritage buildings and precincts.

2.0

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Buildings and works

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 facade 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.

Building and Street Wall Height

A permit cannot be granted to exceed the mandatory maximum street wall height and the mandatory maximum overall building height in the relevant Table and Map as specified in the Building height and setback requirements of this Schedule.

For the purposes of this requirement:

- The street wall is the front façade of a building along all street frontages.
- A frontage onto public open space or public car park is treated as a frontage onto a street and is subject to the maximum streetwall height.
- The overall vertical height is measured from the natural ground level to the peak of the roof or parapet.

A permit cannot be granted to exceed the maximum overall building height set out in the relevant Table and Map as specified in the Building height and setback requirements of this Schedule except:

- To accommodate roof top services that are designed as architectural roof top features or hidden from view from any adjoining public space. Roof top services includes but is not limited to plant rooms, air conditioning, lift overruns, roof top gardens, decks and communal outdoor spaces and their ancillary facilities.

- Where the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum overall building height may be exceeded by one (1) metre.
- Where an existing building on the subject land already exceeds the mandatory maximum height allowed under this Schedule. In this event, a permit can be granted to construct a building or carry out works to the same height as the existing building.

An application to reduce the street wall height in the relevant Table and Map as specified in the Building height and setback requirements of this Schedule, must demonstrate how the design objectives of this schedule will be met.

Setbacks

Primary Street Frontage

Where a preferred minimum upper storey setback is shown in the relevant Table as specified in the Building height and setback requirements of this Schedule, the building must be setback a minimum of 1.6 metres from the primary street frontage measured from the face of the building. The setback may be utilised for the purpose of the balcony.

A permit cannot be granted to reduce this requirement, except for architectural features that enhance the façade articulation and create visual interest.

Development up to the street wall height should be built on or within 200mm of the site boundary along all street frontages. This may be varied, if the setback is:

- Designed as part of the public domain.
- Fully accessible to the public.

For the purpose of this requirement, a frontage onto a public open space or public car park is treated as a frontage onto a street.

Development above the street wall height should comply with the preferred minimum upper storey setbacks in the relevant Table as specified in the Building height and setback requirements of this Schedule. The setback for development above the street wall height is measured from the face of the building along the primary street frontage.

Side Street Frontage

Where a site is on a corner, development above the street wall height should provide the following setbacks along the side street frontage:

- 1.6 metres up to a building height of 14.5 metres.
- 3 metres for building height in excess of 14.5 metres.

The setback for development above the street wall height is measured from the face of the building along the side street frontage.

An application to reduce the preferred upper storey setbacks must demonstrate how the design objectives of this Schedule have been met.

From Residential Zones

Where a rear boundary is shared with a property in a Residential Zone, any development must be set back:

- A minimum of three (3) metres.
- In accordance with the provisions of Clause 55.04-1 of the Planning Scheme thereafter.

A permit cannot be granted to vary this requirement except where development:

- Applies to alterations and/or additions to an existing building; or

- Applies to a basement; or
- Abuts a non-residential use.

Where a service lane/laneway separates a rear boundary from a property in a Residential Zone, development should apply ResCode setbacks in accordance with the provisions of Clause 55.04-1 of the planning scheme measured from the rear property boundary.

Where a side boundary is shared with a property in Residential Zone, a development should apply ResCode setbacks in accordance with the provisions of Clause 55.04-1 of the planning scheme measured from the shared side property boundary.

An application to reduce the rear or side boundary setback requirements must demonstrate how the design objectives of this schedule have been met.

Public Acquisition Overlay

Where land is affected by a Public Acquisition Overlay, the boundary of the PAO is taken to be the street frontage. The responsible authority will only consider an application to encroach within a PAO where written consent can be provided from the acquiring authority for the land confirming that an encroachment into the PAO is appropriate.

Building height and setback requirements

The tables and maps outline the height and setback requirements for each Neighbourhood Centre.

The Maximum Street Wall Height and the Maximum Overall Building Height requirements are mandatory and the Preferred Minimum Upper Storey Setback requirement is discretionary.

Table 1: Ashburton Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	0 metres	8 metres
2	8 metres	5 metres	11 metres
3	9 metres	5 metres	11 metres
4	11 metres	0 metres	11 metres



Map 1 to Schedule 16 to Clause 43.02

Ashburton Neighbourhood Centre - Built Form Areas

Note Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 2: Ashwood Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres



Map 2 to Schedule 16 to Clause 43.02

Ashwood Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 3: Auburn Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	11 metres	0 metres	11 metres
2	11 metres	5 metres	14.5 metres



Map 3 to Schedule 16 to Clause 43.02

Auburn Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 4: Balwyn Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	13 metres	6 metres	16 metres
2	9 metres	5 metres	11 metres
3	9 metres	0 metres	9 metres
4	11 metres	0 metres	11 metres

[illegible]

Balwyn Neighbourhood Centre - Built Form Areas

Table 5: Balwyn East Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	14.5 metres
2	8 metres	5 metres	11 metres



Map 5 to Schedule 16 to Clause 43.02

Balwyn East Neighbourhood Activity Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 6: Bellevue Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres



Map 6 to Schedule 16 to Clause 43.02

Bellevue Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 7: Belmore Heights Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres
2	8 metres	3 metres	14.5 metres



Map 7 to Schedule 16 to Clause 43.02

Belmore Heights Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 8: Boroondara Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	0 metres	8 metres
2	8 metres	3 metres	11 metres



Map 8 to Schedule 16 to Clause 43.02

Boroondara Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 9: Burwood Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	11 metres
2	9 metres	5 metres	11 metres



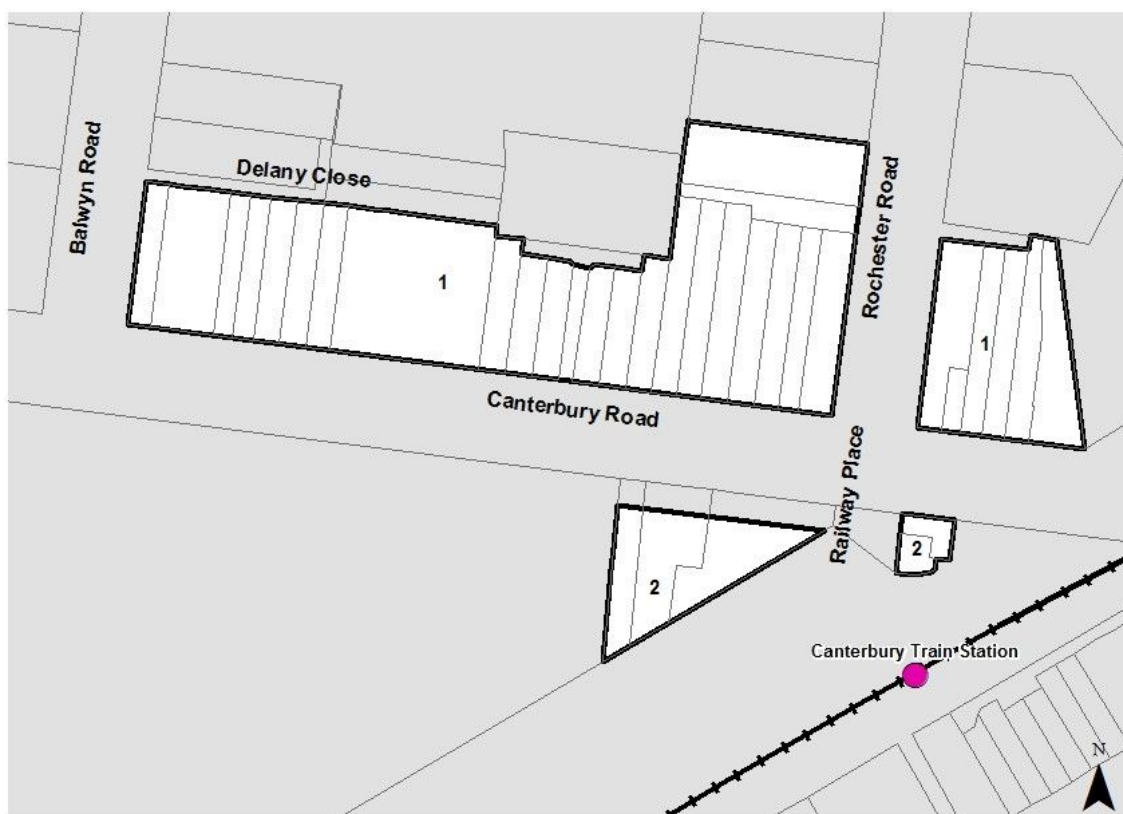
Map 9 to Schedule 16 to Clause 43.02

Burwood Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 10: Canterbury Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	9 metres	5 metres	11 metres
2	8 metres	0 metres	8 metres



Map 10 to Schedule 16 to Clause 43.02

Canterbury Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 11: Church Street Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	0 metres	8 metres
2	11 metres	0 metres	11 metres
3	11 metres	5 metres	14.5 metres



Map 11 to Schedule 16 to Clause 43.02

Church Street Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 12: Cotham Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	11 metres	0 metres	11 metres
2	11 metres	5 metres	14.5 metres
3	8 metres	3 metres	11 metres



Map 12 to Schedule 16 to Clause 43.02

Cotham Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 13: Deepdene Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres



Map 13 to Schedule 16 to Clause 43.02

Deepdene Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 14: Dickens Corner Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	14.5 metres
2	9 metres	5 metres	11 metres
3	8 metres	5 metres	19 metres
4	8 metres	5 metres	14.5 metres



Map 14 to Schedule 16 to Clause 43.02

Dickens Corner Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 15: East Camberwell Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres
2	8 metres	0 metres	8 metres



Map 15 to Schedule 16 to Clause 43.02

East Camberwell Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 16: Glenferrie Hill Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	11 metres	0 metres	11 metres
2	11 metres	3 metres	14.5 metres



Map 16 to Schedule 16 to Clause 43.02

Glenferrie Hill Neighbourhood Activity Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 17: Golf Links Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres



Map 17 to Schedule 16 to Clause 43.02

Golf Links Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 18: Greythorn Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	14.5 metres
2	8 metres	5 metres	11 metres



Map 18 to Schedule 16 to Clause 43.02

Greythorn Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 19: Harp Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	11 metres	5 metres	19 metres
2	11 metres	5 metres	14.5 metres
3	9 metres	5 metres	11 metres
4	9 metres	0 metres	9 metres
5	11 metres	0 metres	11 metres



Map 19 to Schedule 16 to Clause 43.02

Harp Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 20: Hartwell Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	11 metres	5 metres	22 metres
2	8 metres	5 metres	14.5 metres
3	8 metres	5 metres	11 metres
4	11 metres	0 metres	11 metres
5	8 metres	0 metres	8 metres
6	11 metres	5 metres	14.5 metres



Map 20 to Schedule 16 to Clause 43.02

Hartwell Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 21: Middle Camberwell Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	14.5 metres
2	8 metres	0 metres	8 metres
3	8 metres	5 metres	11 metres



Map 21 to Schedule 16 to Clause 43.02

Middle Camberwell Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 22: Mont Albert Tram Terminus Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	11 metres
2	9 metres	5 metres	11 metres



Map 22 to Schedule 16 to Clause 43.02

Mont Albert Tram Terminus Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 23: Mount Street Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	11 metres



Map 23 to Schedule 16 to Clause 43.02

Mount Street Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 24: North Balwyn Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	9 metres	3 metres	14.5 metres
2	9 metres	3 metres	11 metres



Map 24 to Schedule 16 to Clause 43.02

North Balwyn Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 25: Riversdale Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	9 metres	0 metres	9 metres
2	9 metres	5 metres	11 metres
3	8 metres	5 metres	11 metres



Map 25 to Schedule 16 to Clause 43.02

Riversdale Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 26: South Camberwell Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	11 metres	0 metres	11 metres
2	11 metres	3 metres	14.5 metres



Map 26 to Schedule 16 to Clause 43.02

South Camberwell Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 27: Stradbroke Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	11 metres	0 metres	11 metres



Map 27 to Schedule 16 to Clause 43.02

Stradbroke Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 28: Surrey Hills Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	11 metres
2	8 metres	0 metres	8 metres



Map 28 to Schedule 16 to Clause 43.02

Surrey Hills Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 29: Through Road Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres
2	11 metres	0 metres	11 metres



Map 29 to Schedule 16 to Clause 43.02

Through Road Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 30: Upper Glen Iris Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	9 metres	3 metres	11 metres
2	11 metres	3 metres	14.5 metres



Map 30 to Schedule 16 to Clause 43.02

Upper Glen Iris Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 31: Willsmere Village Neighbourhood Centre - Height and Setback Requirements

Area	Maximum Street Wall Height	Preferred Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	3 metres	11 metres



Map 31 to Schedule 16 to Clause 43.02

Willsmere Village Neighbourhood Centre - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

3.0

28/07/2022
C313boro

Subdivision

A permit is required to subdivide land.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

Buildings and works

An application to develop land should include, as appropriate, the following information to the satisfaction of the responsible authority:

- Three dimensional drawings or photo montages depicting the proposed development in the context of nearby buildings, taken from multiple viewpoints including pedestrian eye-level, for buildings or extensions of three storeys or more.
- An Environmental Sustainable Design Statement for new buildings (excluding fences, walls, outbuildings and service installations) and building additions of one or more storeys.
- An acoustic report that demonstrates how the design of the development achieves suitable indoor noise levels and protects residential uses within the development from external or potential internal noise sources including, but not limited to, entertainment activities, roads, tram and railway lines.

6.028/07/2022
C313boro**Decision guidelines**

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

- Whether the proposed development achieves the design objectives and requirements of this schedule .
- Whether the design of the development can accommodate an integrated mix of uses including retail, office/commercial and residential.
- Whether the proposed development is appropriately recessed to reduce potential amenity impacts on adjoining residential properties.
- Whether the proposed development is appropriately recessed to reduce visual bulk on service lanes/laneways.
- Whether the combination of heights, setbacks and design treatment of new buildings is sympathetic to the heritage place or adjoining the site.
- Whether the design of the proposed development supports the provisions of this planning scheme and in particular:
 - Clause 22. 03 Heritage Policy.
 - Clause 45.01 Public Acquisition Overlay.
 - Clause 55 objectives and standards.

Transitional arrangements

The requirements of this overlay do not apply to any planning permit application received by the responsible authority before 9 April 2015. The requirements of Clause 43.02 as in force immediately 9 April 2015 continue to apply.

28/07/2022
C313boro

SCHEDULE 17 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO17**.

COMMERCIAL CORRIDORS

1.0

28/07/2022
C313boro

Design objectives

To ensure the height and setbacks of development enhances the established streetscape and commercial character of the corridor.

To achieve innovative, high quality architectural design that makes efficient use of land whilst enhancing the appearance and strengthening the identity of the commercial corridors.

To ensure appropriate development that is complementary to the existing neighbourhood character and has regard to adjoining residential amenity.

To ensure development respects and enhances identified heritage buildings and precincts.

2.0

11/04/2025
GC252

Buildings and works

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 facade 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.

Building and Street Wall Height

A permit may be granted where the maximum overall building height requirements in the relevant Table and as specified in the Building height and setback requirements of this Schedule are not met.

Where the applicant demonstrates, to the satisfaction of the responsible authority, that all of the following would be satisfied:

- The proposed development would achieve the design objectives of this schedule and relevant policy and provisions of this planning scheme.
- The development is of an exemplary quality design that would make a positive contribution to the character of the neighbourhood.
- The additional height would:
 - Result in specific design benefits.
 - Not have an adverse impact on heritage values, the public realm or the amenity of adjoining properties.

A permit cannot be granted to exceed the maximum street wall height requirements in the relevant Table and Map as specified in the Building height and setback requirements of this Schedule.

An application to reduce the street wall height requirements in the relevant Table and Map as specified in the Building height and setback requirements of this Schedule must demonstrate how the design objectives of this schedule will be met.

For the purpose of the maximum overall building height and maximum street wall height requirements:

- The street wall is the front façade of a building along all street frontages.
- A frontage onto public open space or public car park is treated as a frontage onto a street and is subject to the maximum streetwall height.
- The overall vertical height is measured from the natural ground level to the peak of the roof or parapet.

Setbacks

Primary Street Frontage

Where a preferred minimum upper storey setback is shown in the relevant Table as specified in the Building height and setback requirements of this Schedule, the building must be setback a minimum of 1.6 metres from the primary street frontage measured from the face of the building. The setback may be utilised for the purpose of the balcony.

A permit cannot be granted to reduce this requirement, except for architectural features that enhance the façade articulation and create visual interest.

Development up to the street wall height should be built on or within 200mm of the site boundary along all street frontages. This may be varied, if the setback is:

- Designed as part of the public domain.
- Fully accessible to the public.

For the purpose of this requirement, a frontage onto a public open space or public car park is treated as a frontage onto a street.

Development above the street wall height should comply with the preferred minimum upper storey setbacks in the relevant Table as specified in the Building height and setback requirements of this Schedule. The setback for development above the street wall height is measured from the face of the building along the primary street frontage.

Side Street Frontage

Where a site is on a corner, development above the street wall height should provide the following setbacks along the side street frontage:

- 1.6 metres up to a building height of 14.5 metres.
- 3 metres for building height in excess of 14.5 metres.

The setback for development above the street wall height is measured from the face of the building along the side street frontage.

An application to reduce the preferred upper storey setbacks must demonstrate how the design objectives of this Schedule have been met.

From Residential Zones

Where a rear boundary is shared with a property in a Residential Zone, any development must be set back:

- A minimum of three (3) metres.
- In accordance with the provisions of Clause 55.04-1 of the Planning Scheme thereafter.

A permit cannot be granted to vary this requirement except where development:

- Applies to alterations and/or additions to an existing building; or
- Applies to a basement; or
- Abuts a non-residential use.

Where a service lane/laneway separates a rear boundary from a property in a Residential Zone, development should apply ResCode setbacks in accordance with the provisions of Clause 55.04-1 of the planning scheme measured from the rear property boundary.

Where a side boundary is shared with a property in Residential Zone, a development should apply ResCode setbacks in accordance with the provisions of Clause 55.04-1 of the planning scheme measured from the shared side property boundary.

An application to reduce the rear or side boundary setback requirements must demonstrate how the design objectives of this schedule have been met.

Public Acquisition Overlay

Where land is affected by a Public Acquisition Overlay, the boundary of the PAO is taken to be the street frontage. The responsible authority will only consider an application to encroach within a PAO where written consent can be provided from the acquiring authority for the land confirming that an encroachment into the PAO is appropriate.

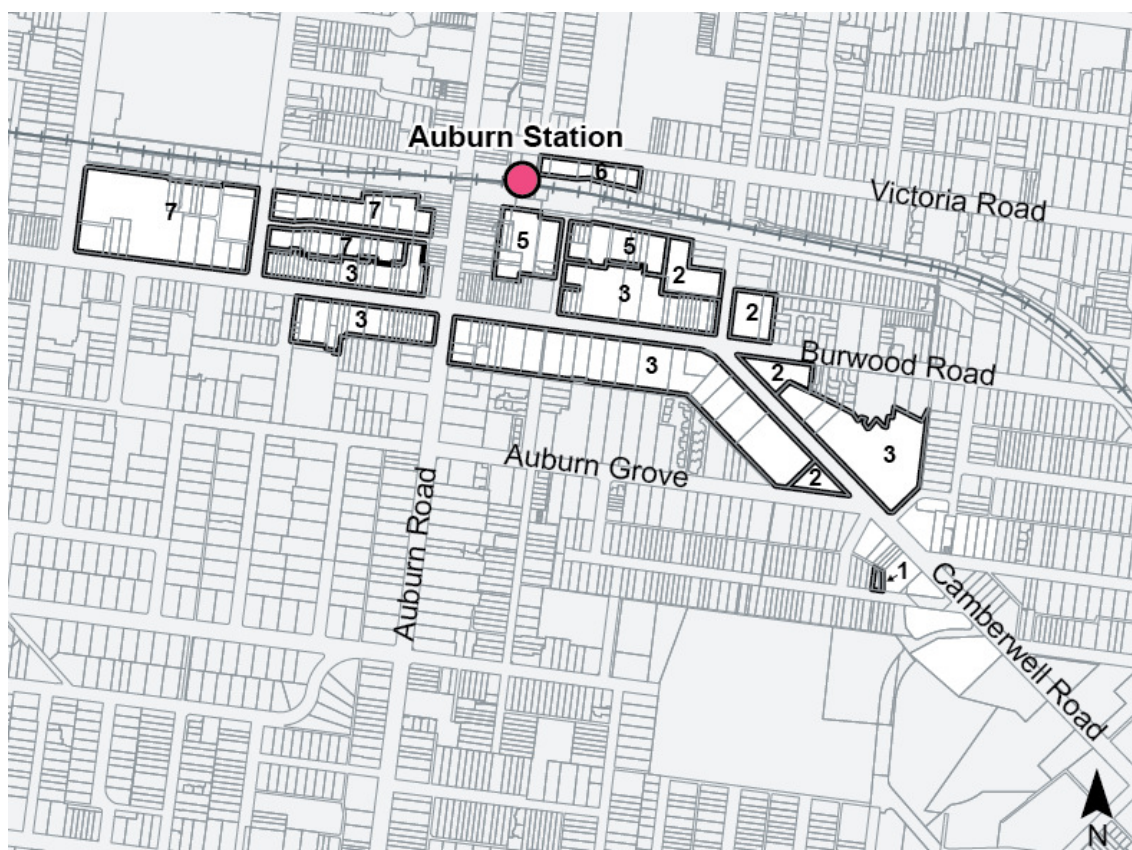
Building height and setback requirements

The tables and maps outline the height and setback requirements for each Commercial Corridor.

The Maximum Street Wall Height requirement is mandatory and the Maximum Overall Building Height and Minimum Upper Storey Setback requirements are discretionary.

Table 1: Burwood/Camberwell Road Commercial Corridor - Height and Setback Requirements

Area	Maximum Street Wall Height	Minimum Upper Storey Setback	Maximum Overall Building Height
1	8 metres	5 metres	11 metres
2	11 metres	5 metres 7 metres for the Tower Hotel site	17 metres
3	11 metres	5 metres	14.5 metres
4	11 metres	3 metres	19 metres
5	11 metres on Burwood Road, Lilydale Grove and Montrose Street.	3 metres	30 metres
6	8 metres	0 metres	8 metres
7	11 metres	5 metres	22 metres



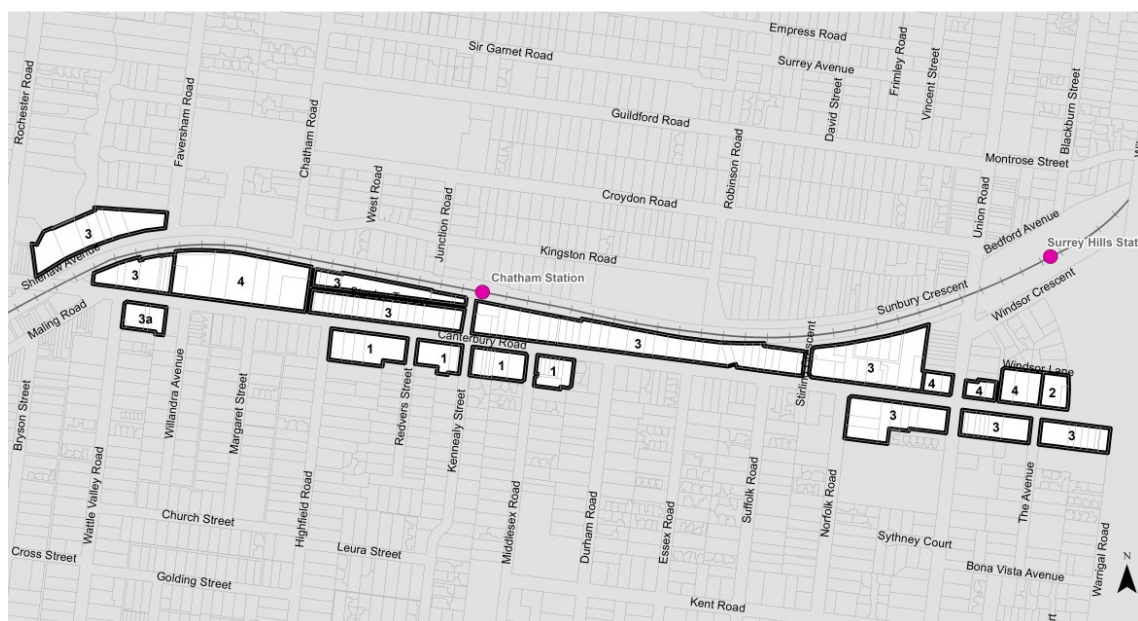
Map 1 to Schedule 17 to Clause 43.02

Burwood / Camberwell Road Commercial Corridor - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 2: Canterbury Road Commercial Corridor - Height and Setback Requirements

Area	Maximum Street Wall Height	Minimum Upper Storey Setback	Maximum Overall Building Height	Other Requirements
1	9 metres	0 metres	9 metres	
2	9 metres	3 metres	11 metres	
3	11 metres on Canterbury Road	0 metres	11 metres	A minimum 3 metre wide landscape buffer should be provided along the Shierlaw Avenue frontage.
3a	11 metres	0 metres	11 metres	A minimum 3 metres wide landscape setback should be provided along Canterbury Road.
4	11 metres	3 metres from Canterbury Road 5 metres from Union Road	14.5 metres	



Map 2 to Schedule 17 to Clause 43.02

Canterbury Road Commercial Corridor - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

Table 3: Tooronga Commercial Corridor - Height and Setback Requirements

Area	Maximum Street Wall Height	Minimum Upper Storey Setback	Maximum Overall Building Height	Other Requirements
1	16 metres	3 metres	19 metres	A minimum 3 metre wide landscape setback should be provided at ground level along the Hall Street, Cato Street and Auburn Road frontages.
2	16 metres	Subject to detailed design analysis.	16 metres	A minimum 3 metre wide landscape setback should be provided at ground level along the Auburn Road frontage.
3	8 metres	Subject to detailed design analysis.	16 metres	Area 3 is subject to land slope. The maximum streetwall height should be equivalent to the building height at the rear of the site.
4	8 metres	3 metres	16 metres	A minimum 3 metre wide landscape setback should be provided at ground level along the Cato Street and Auburn Road frontages.



Map 3 to Schedule 17 to Clause 43.02

Tooronga Commercial Corridor - Built Form Areas

Note: Site constraints or context may mean it is not appropriate to develop to the full extent of the building envelope established by the building heights and setbacks specified in this Schedule.

3.0

28/07/2022
C313boro

Subdivision

A permit is required to subdivide land.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

An application to develop land should include, as appropriate, the following information to the satisfaction of the responsible authority:

- Three dimensional drawings or photo montages depicting the proposed development in the context of nearby buildings, taken from multiple viewpoints including pedestrian eye-level, for buildings or extensions of three storeys or more.
- An Environmental Sustainable Design Statement for new buildings (excluding fences, walls, outbuildings and service installations) and building additions of one or more storeys.
- An acoustic report that demonstrates how the design of the development achieves suitable indoor noise levels and protects residential uses within the development from external or potential internal noise sources including, but not limited to, entertainment activities, roads, tram and railway lines.

6.0

28/07/2022
C313boro

Decision guidelines

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

- Whether the proposed development achieves the design objectives and requirements of this schedule.
- Whether the design of the development can accommodate an integrated mix of uses including retail, office/commercial and residential.
- Whether the proposed development is appropriately recessed to reduce potential amenity impacts on adjoining residential properties.
- Whether the proposed development is appropriately recessed to reduce visual bulk on service lanes/laneways.
- Whether the combination of heights, setbacks and design treatment of new buildings is sympathetic to the heritage place or adjoining the site.
- Whether the design of the proposed development supports the provisions of this planning scheme and in particular:
 - Clause 22.03 Heritage Policy.
 - Clause 45.01 Public Acquisition Overlay.
 - Clause 55 objectives and standards.

Transitional arrangements

The mandatory requirements of this overlay do not apply to any planning permit application received by the responsible authority before 9 April 2015. The requirements of Clause 43.02 as in force immediately before 9 April 2015 continue to apply.

28/07/2022
C313boro

SCHEDULE 19 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO19**.

32-36 PRINCESS STREET, 11-15 BROUGHAM STREET, KEW

1.0

28/07/2022
C313boro

Design objectives

To facilitate high quality development and/or expansion of a supermarket and specialty retail to strengthen the role of the wider area (defined as Precinct 2 in the Kew Junction Structure Plan) as the core retail focus of the Kew Junction Activity Centre.

To contribute to the enhancement of Precinct 2 as an attractive, safe and pedestrian focussed retail hub.

To encourage high quality new development that respects the amenity of adjoining residentially zoned land, whilst retaining the built form character of Precinct 2.

To improve pedestrian access to supermarket entrances and minimise pedestrian-vehicular conflict while improving loading arrangements.

To ensure adequate vehicle and loading access to and from Princess Street is provided.

2.0

28/07/2022
C313boro

Buildings and works

Requirements

New development should address the design objectives and requirements as set out below:

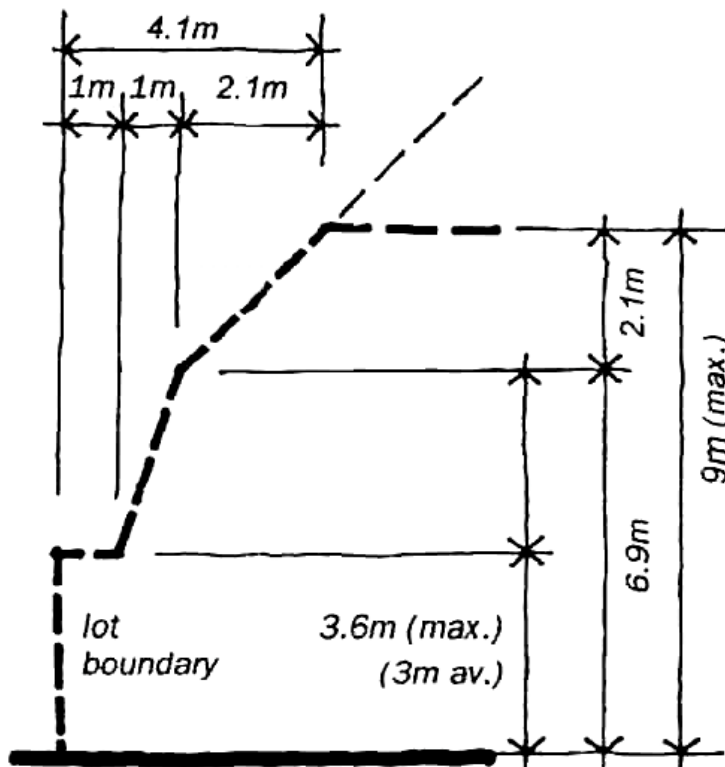
Building design

- Buildings should be designed to minimise their impact on the amenity of adjoining residentially zoned land having regard to matters such as overlooking, overshadowing noise and or visual bulk, guided by the objectives and standards of ResCode (Clauses 54 and 55 of the Boroondara Planning Scheme).
- Commercial and residential development should implement acoustic treatments that will protect residents from unreasonable noise impacts.
- Building facades should be articulated through considered composition of their various design elements. This includes the size and placement of door and window openings, balconies or awnings and the colour and texture of different materials.
- Encourage the use of high quality building materials and design innovation in the use of elements - openings, colours, materials, textures, etc. to encourage attractive and interesting streetscapes and reduce the apparent bulk of buildings.
- The roof form and building profile should be carefully considered in terms of its appearance within the streetscape; and from distant viewpoints to ensure that views to the Holy Trinity Church, the War Memorial and the former Kew Post Office (along High Street) and the Melbourne Chinese Baptist Church (along Cotham Road) are retained.
- The existing horizontal or vertical design rhythms of the streetscape should be maintained, where these are dominant features, by
 - Referencing the established roof or parapet heights of adjoining buildings, where this is a consistent feature in the streetscape, in the design of a new facade.
 - Maintaining the existing 'fine grain' appearance of buildings through vertical articulation of wide building frontages.

- Buildings should provide active frontages (except where landscape setbacks are required) to streets and pedestrian spaces to increase interaction and passive surveillance of pedestrian areas and integration with the adjoining Commercial 1 zoned land. This can be achieved through design measures such as incorporation of clear glazing at the ground level and windows or balconies at the upper levels.
- Footpaths in front of redevelopment sites should be reconstructed to Council's streetscape standard, where applicable.
- Development should demonstrate the incorporation of Environmentally Sustainable Design techniques to improve the thermal efficiency of buildings and reduce energy and water consumption.

Heights and setback

- Building heights should not exceed an overall height of 14.5 metres
- At the building frontages, building height should not exceed 11 metres
- Upper storeys above 11 metres should be set back 5 metres from the front ground level facades.
- Building setbacks at residential interfaces should be guided by Diagram A1 (Side and Rear Setbacks) of Clause 54.04-1, as shown below:



- Overall building heights referred to are based on a floor to ceiling height of 4 metres for the ground level, with 3.5 metres for subsequent level. These heights include the space required to accommodate services in between the level. The overall height is measured to the building parapet.
- Landscaped setbacks of a minimum of 2 metres should be provided along Princess Street and the northern boundary of 36 Princess Street and 15 Brougham Street, Kew.

- An application which does not meet the building height or setbacks specified must demonstrate that the proposed development will continue to meet the design objectives specified in the Schedule.
- Minor buildings and works such as verandas, architectural features, balconies, sunshades, screens, artworks and street furniture may be constructed within the setback areas specified under the 'Heights and Setback' in the building requirements of the Schedule provided:
 - The facade built to the nominated setback remains visually dominant;
 - All screening and balustrading to upper level balconies is glazed or of similar lightweight materials.

Spaces and access

- Ensure that new or improved pedestrian links are attractive, accessible, identifiable, well-connected and safe for users of all abilities.
- Ensure development incorporates and encourages sustainable transport options, including walking, cycling and public transport.
- Ensure that supermarket loading arrangements be provided via Princess Street with appropriate layout to minimise conflict with pedestrian and traffic movement. Discourage loading arrangements via Brougham Street.
- Ensure that supermarket loading arrangements provided via Princess Street provide for safe and efficient movement of delivery vehicles, including provision for forward movement in and out of the site.
- The number of crossovers, garages and car park entrances should be minimised. Where possible, car parking should be located underground.
- Ensure that car-parking design and access retains or improves linkages between Princess Street and Brougham Street, Kew.

3.0

28/07/2022
C313boro

Subdivision

None specified.

4.0

28/07/2022
C313boro

Signs

None specified.

5.0

28/07/2022
C313boro

Application requirements

Buildings and works

An application to develop land must be accompanied by an urban context report and design response, which demonstrates how the development addresses and achieves:

- The design objectives and built form outcomes of this Schedule.
- The design objectives and requirements of Precinct 2 of the Kew Junction Activity Centre.
- Suitable indoor noise levels between abutting dwellings, between dwellings and commercial uses in accordance with the *State Environment Protection Policy - NI - Control of Noise from Commerce, Industry and Trade*.

The responsible authority may waive or reduce a requirement for information if it is considered to not be relevant to the application.

6.028/07/2022
C313boro**Decision guidelines**

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

- The design objectives and the requirements of this schedule.
- The urban context and design response, where required.
- The *Kew Junction Structure Plan* for the precinct.
- Potential amenity impacts (including impacts associated with extended trading hours if applicable) upon adjoining residential properties.
- Whether the proposal achieves an environmentally sustainable design outcome.
- Whether the proposal makes a positive contribution to the image and character of the centre and its pedestrian environment.
- The impact of the proposal upon the existing built form character of Precinct 2, including as derived from the Victorian, Edwardian and Interwar era commercial buildings in Precinct 2.
- The impact of the proposal upon local traffic management and car parking.

7.0**Background documents**

Kew Junction Structure Plan, 2009 (updated 28 December 2011)

28/07/2022
C313boro

SCHEDULE 23 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO23**.

MALING ROAD BUILT FORM DESIGN GUIDELINES

1.0

28/07/2022
C313boro

Design objectives

To preserve and maintain the historic streetscape of Maling Road

To maintain long range vistas of Malone Hotel Tower (208 Canterbury Road).

To maintain the varied building heights and low rise scale of Maling Road.

To respect the character and amenity of surrounding residential areas.

To improve the safety and amenity of public spaces including pedestrian walkways, Theatre Place and public car parks.

2.0

Permit requirements

Mandatory requirements

A permit cannot be granted for development that exceeds the **mandatory** requirements specified in this Schedule.

The overall vertical height is measured from the natural ground level to the roof or parapet at any point, whichever is the greater.

3.0

28/07/2022
C313boro

Buildings and works

Mandatory controls

Buildings must not exceed the mandatory building heights detailed in Map 1 of this schedule other than:

- To accommodate roof top services that are hidden from view from any adjoining public space or designed as architectural roof top features. Roof top services includes but is not limited to plant rooms, air conditioning, lift overruns, roof top gardens, decks and communal outdoor spaces and their ancillary facilities.
- Where the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum overall building height may be exceeded by one (1) metre.
- Where an existing building on the subject land already exceeds the mandatory maximum height allowed under this Schedule. In this event, a permit can be granted to construct a building or carry out works to the same height as the existing building. Note: building height excludes roof top plant equipment or similar services.

The street wall height of 'non-contributory' buildings in Map 1 must not exceed a height of 8.5 metres, and must be no more than two storeys.

Discretionary controls

Setbacks and street wall heights

- Buildings in a commercial zone must have a zero street setback.
- Upper level additions to 'significant' and 'contributory' heritage places shown on Map 1 of this schedule should be set back a minimum of 5 metres behind the street wall. A greater setback may be required for upper level additions to single storey 'significant' or 'contributory' heritage buildings to protect heritage values.

- The secondary street facade of 'significant' and 'contributory' heritage places shown on Map 1 of this schedule should reflect the street wall height of the existing heritage building, and read as no more than two storeys at the street edge.
- The street wall of new developments on 'non-contributory' properties in Map 1 of this schedule should reflect the street wall height of any abutting 'significant' or 'contributory' heritage buildings.

Building facades

- The primary facade of 'significant' or 'contributory' heritage buildings must be retained and restored as part of any buildings and works, wherever possible.
- New pedestrian access should not result in significant impacts on heritage facades of 'significant' or 'contributory' heritage buildings.
- Services, such as air conditioning units and plant equipment should not be located on the facade of buildings or external balconies facing the street. All services should be screened from view and integrated in the design of buildings.

Interface with public spaces

- Properties with a frontage to a laneway, public car park or pedestrian walkway should, where possible:
 - Provide a zero setback to create a clearly defined street edge.
 - Incorporate active frontages, such as pedestrian access, outdoor seating, shopfronts and/or windows at ground level.
 - Incorporate windows and balconies on upper levels.
 - Incorporate lighting into the design of buildings and create clearly visible entrances.
 - Screen service areas from public view.

60-78 Maling Road

- The facade of new developments should:
 - Present as no more than two storeys to the street.
 - Demonstrate high quality architectural design that complements the heritage properties in the Maling Road streetscape.
 - Provide frequent pedestrian access and glazing at street level to activate the street and facilitate interaction between the internal ground floor uses and the street.
 - Incorporate vertical and horizontal architectural elements that reinforce the rhythm and fine grain character of the historic Maling Road streetscape.
 - Avoid large sections of blank, unarticulated walls along primary and secondary street frontages.
 - Incorporate weather protection above all footpaths. Awning heights should be continuous and match the awning heights of abutting 'significant' or 'contributory' heritage building.
- Development over a height of 8.5 metres should be setback a minimum of 5 metres behind the street wall.
- New development that abuts a 'sensitive residential interface' shown on Map 1 of this schedule should:

- Be setback from the side or rear boundary a minimum of 3 metres from a 'sensitive residential interface' up to a height of 8 metres. Over a height of 8 metres the side or rear setback should be in accordance with Clause 55.04-1 Standard B17 of the Boroondara Planning Scheme. The setback should be landscaped with plants that will provide visual screening of the building for surrounding residential areas.
 - Be articulated to reduce visual bulk and its dominance when viewed from Maling Road and Scott Street. Sheer, blank, unarticulated walls will be not supported.
 - Ensure the length of any side elevation responds to the siting and length of side walls of historic residences in the surrounding area.
 - Ensure the third floor is a recessive element. Use of lightweight materials and finishes are encourages for development over a height of 8.5 metres.
- New development should be designed to minimise amenity impacts on adjoining residences and demonstrate how overlooking and overshadowing impacts have been addressed in accordance with the objectives and standards of Clause 55.04 of the Boroondara Planning Scheme.

4.0

28/07/2022
C313boro

Subdivision

A planning permit is not required for subdivision.

5.0

28/07/2022
C313boro

Signs

None specified.

6.0

28/07/2022
C313boro

Application requirements

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

- An urban design context report that demonstrates how the proposal addresses the objectives and design guidelines in this Design and Development Overlay.
- Three dimensional drawings or photomontages taken from eye level, at various locations in and surrounding the centre that shows the proposed development in context with its surrounds. The image should demonstrate how vistas to the Canterbury Mansion building are maintained, and show views as you approach the centre from Maling Road and Scott Street.

7.0

28/07/2022
C313boro

Decision guidelines

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

- Whether the proposed development has a positive impact on the Maling Road heritage streetscape.
- Whether the development maintains long and short range views to landmark buildings in the centre.
- The visual and amenity impacts of the proposed development on the surrounding residential areas.
- Whether the proposed development improves natural surveillance of key pedestrian links, public car parks and other public spaces.
- Whether the proposed development has a positive visual impact on the south/west entry to the shopping centre.

Map 1 to Schedule 23 to Clause 43.02: Maling Road Built Form Map



Legend

- | | |
|---|--|
|  Maling Road boundary |  Significant heritage property |
|  Mandatory streetwall height 8.5 metres |  Contributory heritage property |
|  5 metre upper level setback |  Non-contributory property |
|  Encourage articulated building facades |  Malone Hotel (Landmark building) |
|  Retain existing heritage streetscape and building facades | |
|  Mandatory height limit 8.5 metres | |
|  Mandatory height limit 10.5 metres | |
|  Mandatory height limit 11 metres | |
|  Encourage active frontages and natural surveillance | |
|  Sensitive residential interface applies | |

20/04/2021
VC197

SCHEDULE 31 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

YARRA (BIRRARUNG) RIVER CORRIDOR

1.0

20/04/2021
VC197

Design objectives

To ensure new buildings, tennis courts, swimming pools and other structures are appropriately set back from the banks of the Yarra River and adjacent public open space.

To ensure buildings are presented at a variety of heights, avoid visual bulk, are stepped back from the frontage of the Yarra River and adjacent public open space and use colours and finishes which do not contrast with the natural landscape setting.

To avoid additional light spill and overshadowing from buildings on the banks and water of the Yarra River, its adjacent public open space, pedestrian and bicycle paths.

To ensure sufficient space is provided between buildings to maintain views to the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.

To minimise impervious surfaces to allow for the filtration of water and retention and establishment of vegetation and canopy trees.

2.0

20/04/2021
VC197

Buildings and works

A permit is required to construct a fence that:

- is set back less than the minimum setback distance specified in the applicable table to this schedule; or
- abuts public open space.

This does not apply to a fence that:

- does not exceed a maximum height of 1.4 metres at any point above ground level; and
- is of timber post and rail, timber post and wire, or metal post and wire construction.

A permit is required to construct a swimming pool or tennis court associated with a dwelling which is not in accordance with the requirements of this schedule.

Requirements that cannot be varied by a planning permit

The following requirements must be met:

- Buildings and works must not cast any additional shadow across the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) between 11:00am and 2:00pm on 22 June.
- New buildings must not exceed the maximum building height specified in the applicable table to this schedule. A building may exceed the maximum building height by up to 1 metre if the slope of the ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.
- New buildings (including basements and projections) must be set back from the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) the minimum distance specified in the applicable table to this schedule.
- The complete or partial replacement of an existing building within the minimum setback distance specified in the applicable table to this schedule (as measured from the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway) must not:
 - Exceed the maximum building height specified in the applicable table to this schedule.
 - Reduce the existing setback of the building from the Yarra River and public open space.

- Increase the existing gross floor area of the existing building.

Requirements that can be varied by a planning permit

The following requirements should be met:

- Buildings and works should not cast any additional shadow across any public open space between 11:00am and 2:00pm on 22 September.
- Buildings should not exceed the discretionary maximum building height specified in the applicable table to this schedule, except for sloping sites where a building may exceed the maximum building height by up to 1 metre if the slope of the ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.
- Fencing within the minimum setback specified in the applicable table to this schedule (as measured from the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway), should not:
 - Impede the flow of flood waters.
 - Exceed a height of 1.4 metres above ground level.
 - Be less than 25 per cent visually permeable.
 - Use reflective colours and finishes.
- The site area covered by buildings, tennis courts, swimming pools and other impervious surfaces within a Residential Zone or on land used for accommodation should not exceed 40 per cent of the lot area.
- Tennis courts, swimming pools and other outbuildings associated with a dwelling should be set back from the Setback Reference Line (the closest parallel property boundary aligned to the banks of the waterway) the minimum distance specified in the applicable table to this schedule.
- Building materials should utilise non-reflective colours and finishes that blend with the natural landscape.

Table 1

DDO31 Map Ref.	Location	Minimum Setback	Maximum Height
A	Fairview Road, Hawthorn	30 metres	8 metres
B	Riversdale Court, Hawthorn		
	Land within NRZ3	-	8 metres
	Land within RGZ1	80 metres	9 metres
C	Yarra Grove, Hawthorn		
	Land within NRZ3 (Strathcona Girls School)	30 metres	8 metres
	Land within GRZ3	30 metres	9 metres
	Land within PPRZ (Leonda)	30 metres	9 metres
	Land within MUZ	-	9 metres
D	Coppin Grove, Hawthorn	30 metres	8 metres
E	Creswick Street, Hawthorn	60 metres	9 metres
F	Harrison Crescent, Hawthorn	30 metres	9 metres

BOROONDARA PLANNING SCHEME

DDO31 Map Ref.	Location	Minimum Setback	Maximum Height
G	Blythwood Court, Kew		
	Land within NRZ3 and UFZ	50 metres	8 metres
	Land within GRZ1	-	9 metres
H	Young Street, Kew	80 metres	8 metres
I	Yarra Boulevard, Kew	-	9 metres
J	River Retreat	30 metres	9 metres
K	Chandler Basin, Kew East	150 metres	8 metres

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area A - Fairview Road, Hawthorn



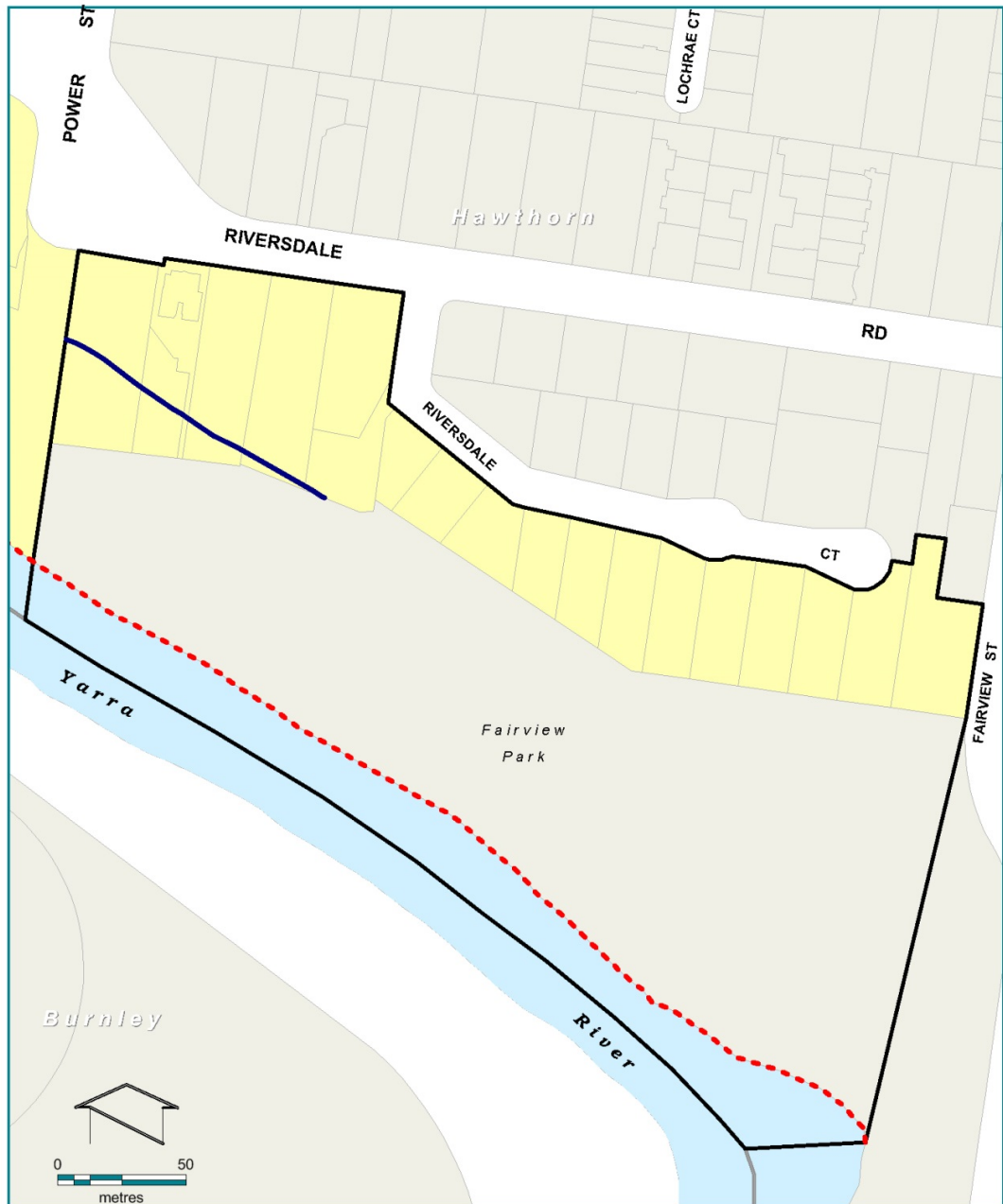
LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

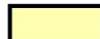
* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area B - Riversdale Court, Hawthorn



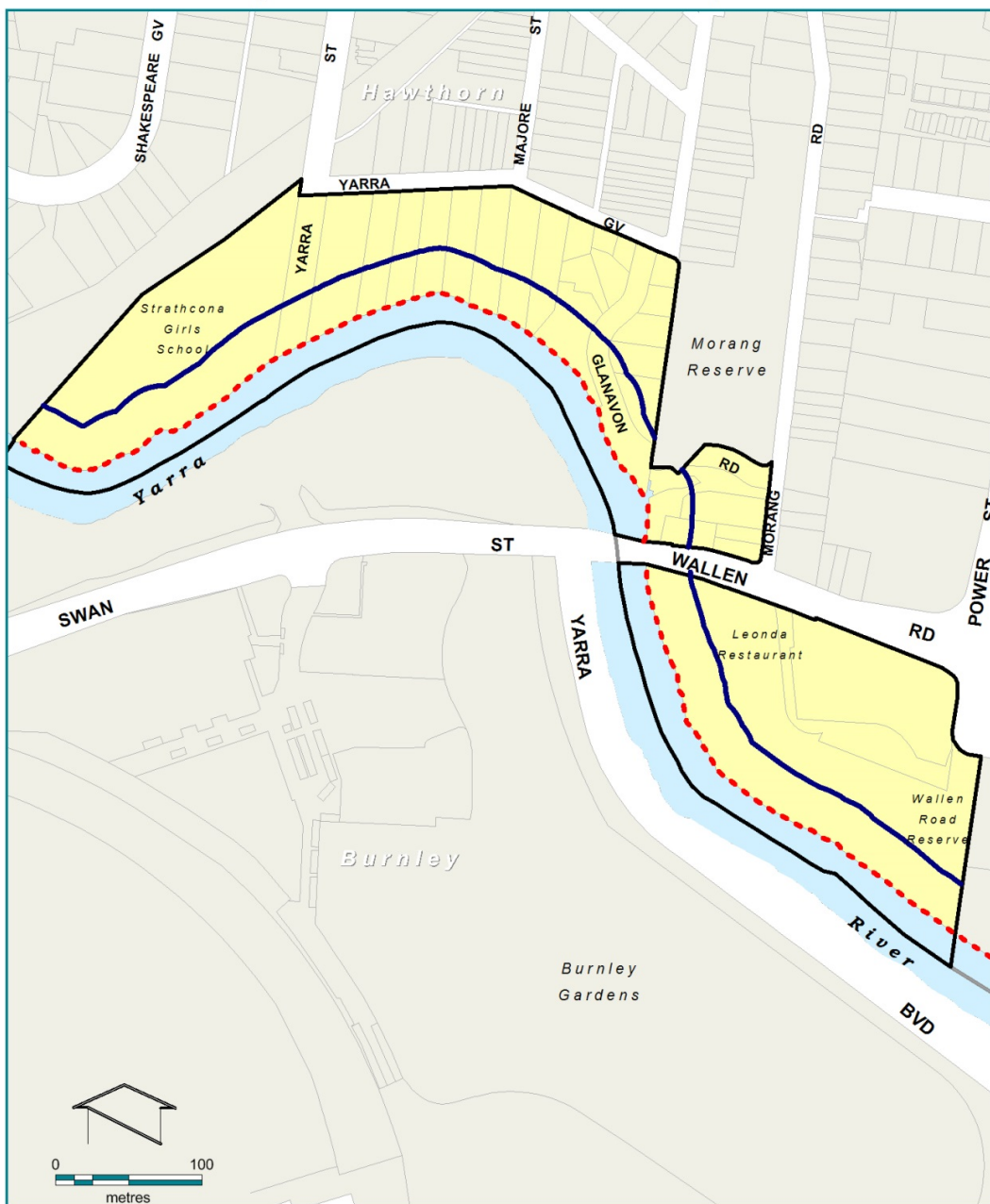
LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area C - Yarra Grove, Hawthorn



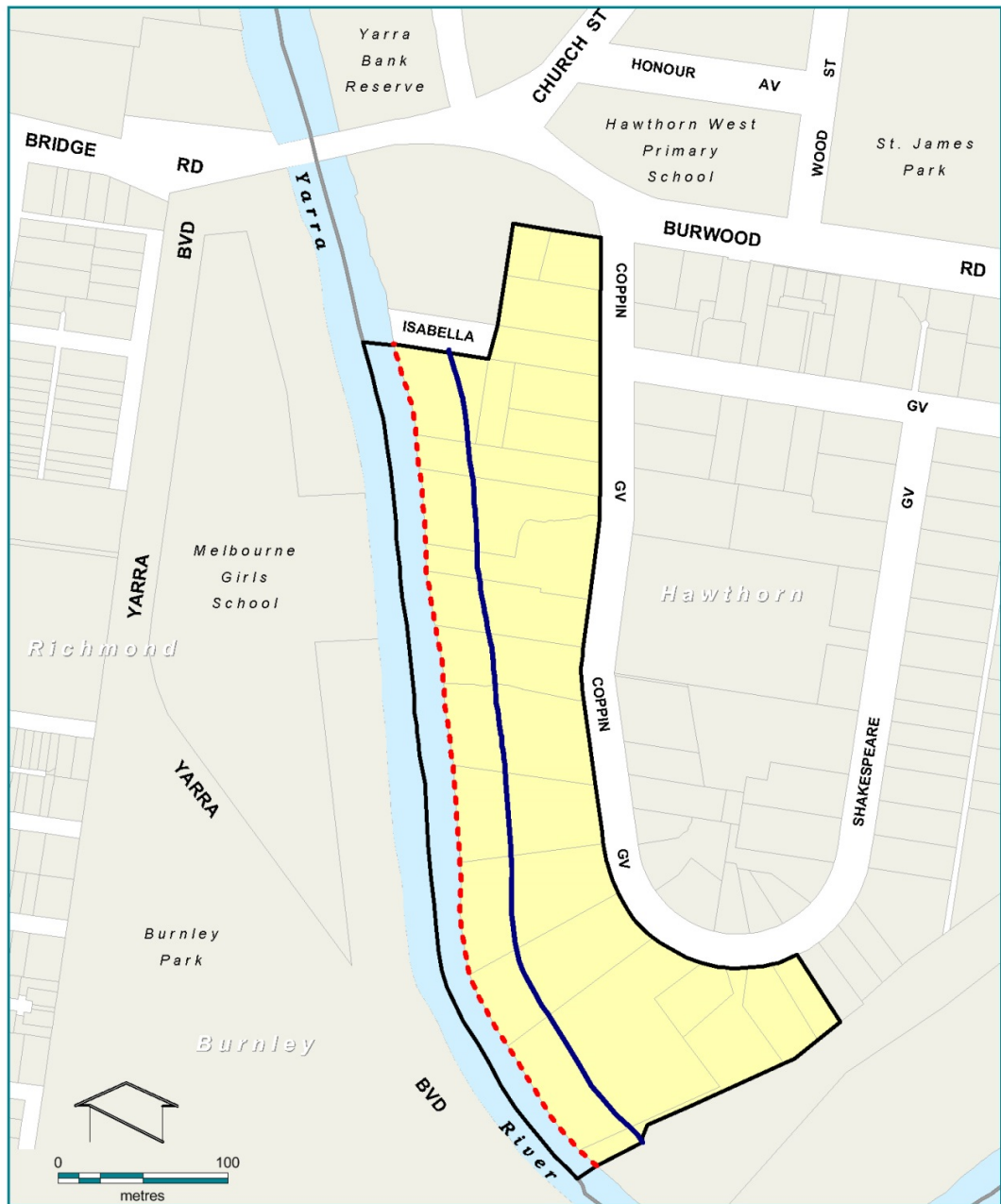
LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area D - Coppin Grove, Hawthorn



LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area E - Creswick Street, Hawthorn



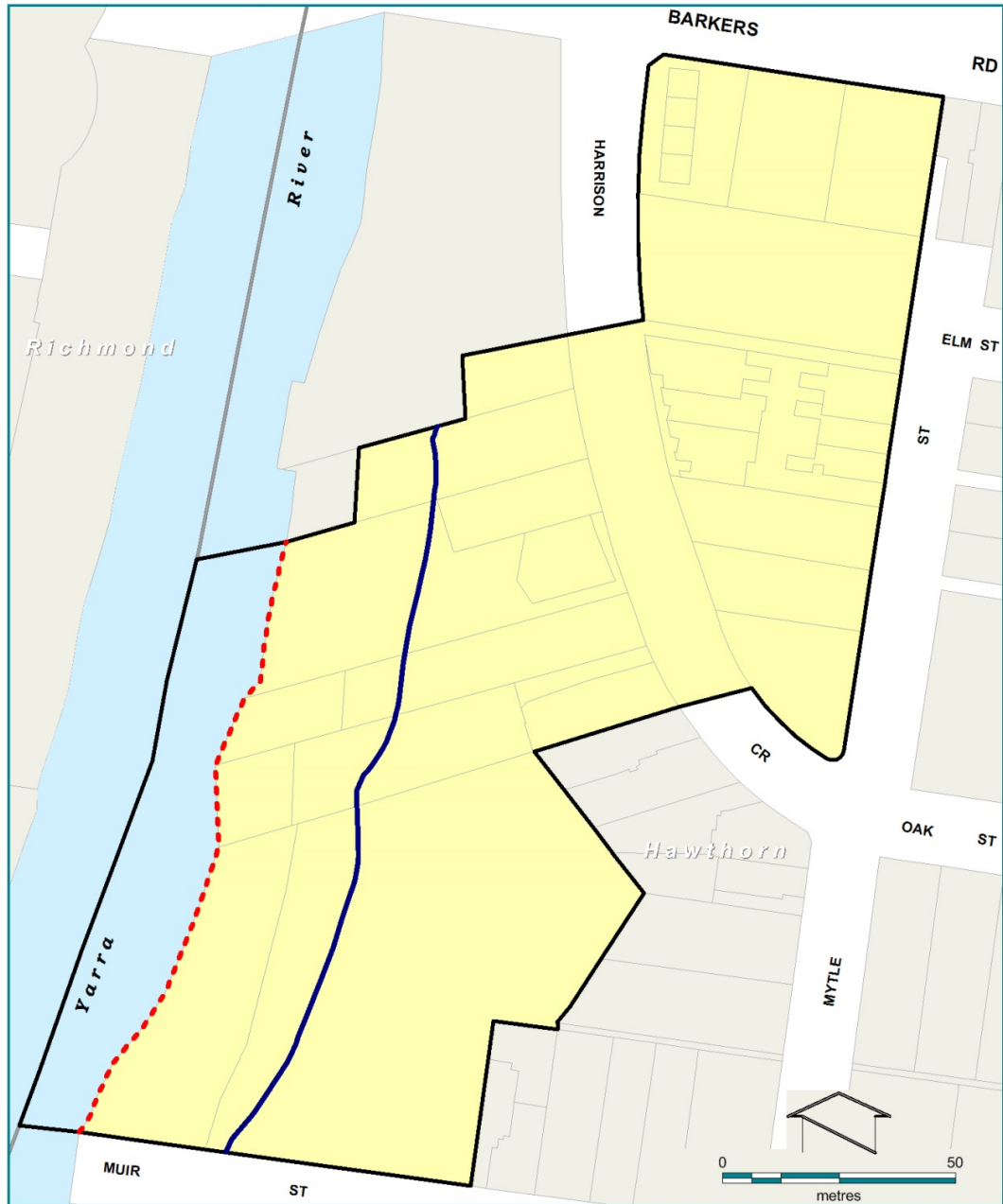
LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area F - Harrison Crescent, Hawthorn



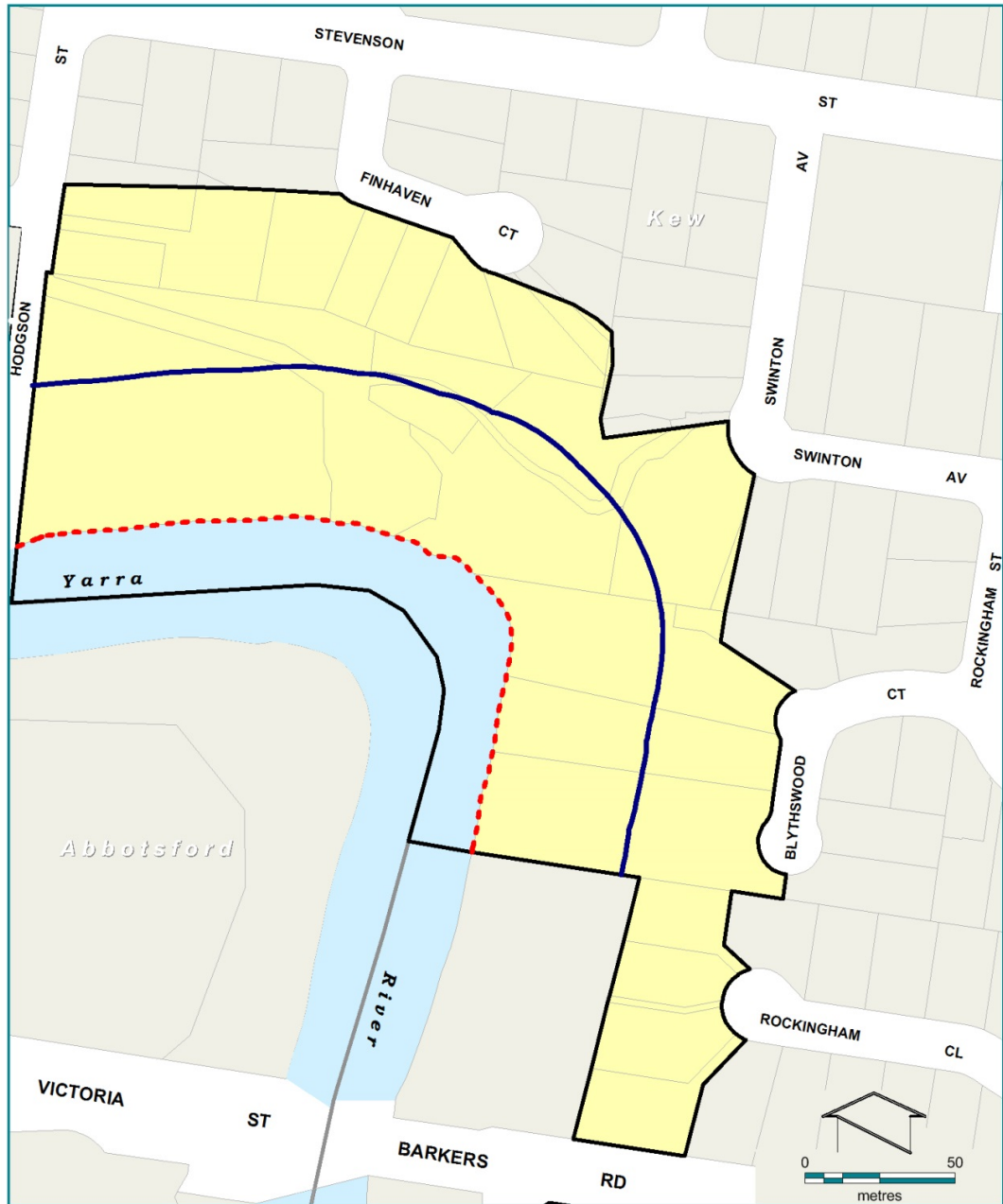
LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area G - Blythwood Court, Kew



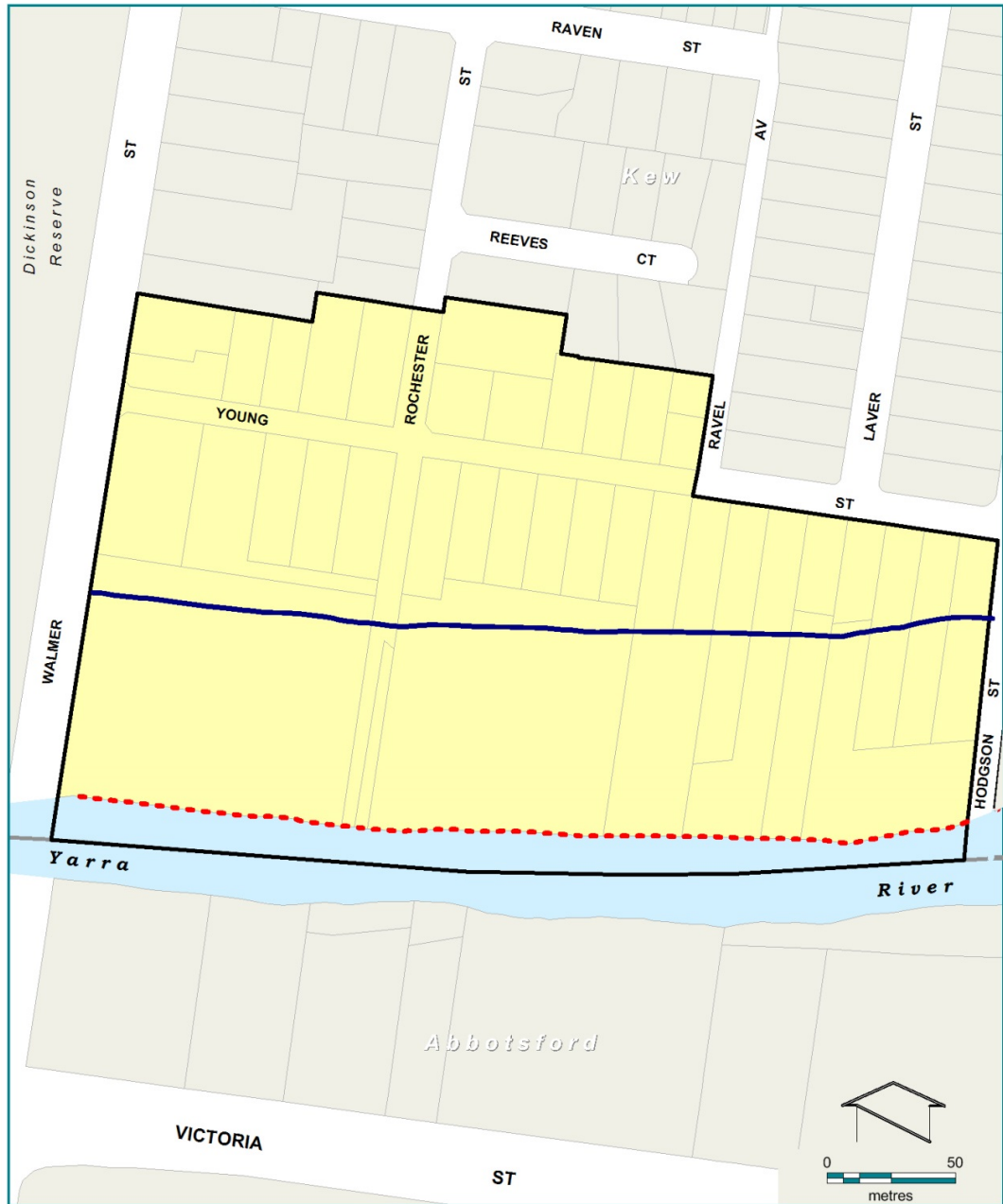
LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area H - Young Street, Kew



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area I - Yarra Boulevard, Kew



LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area J - River Retreat, Kew



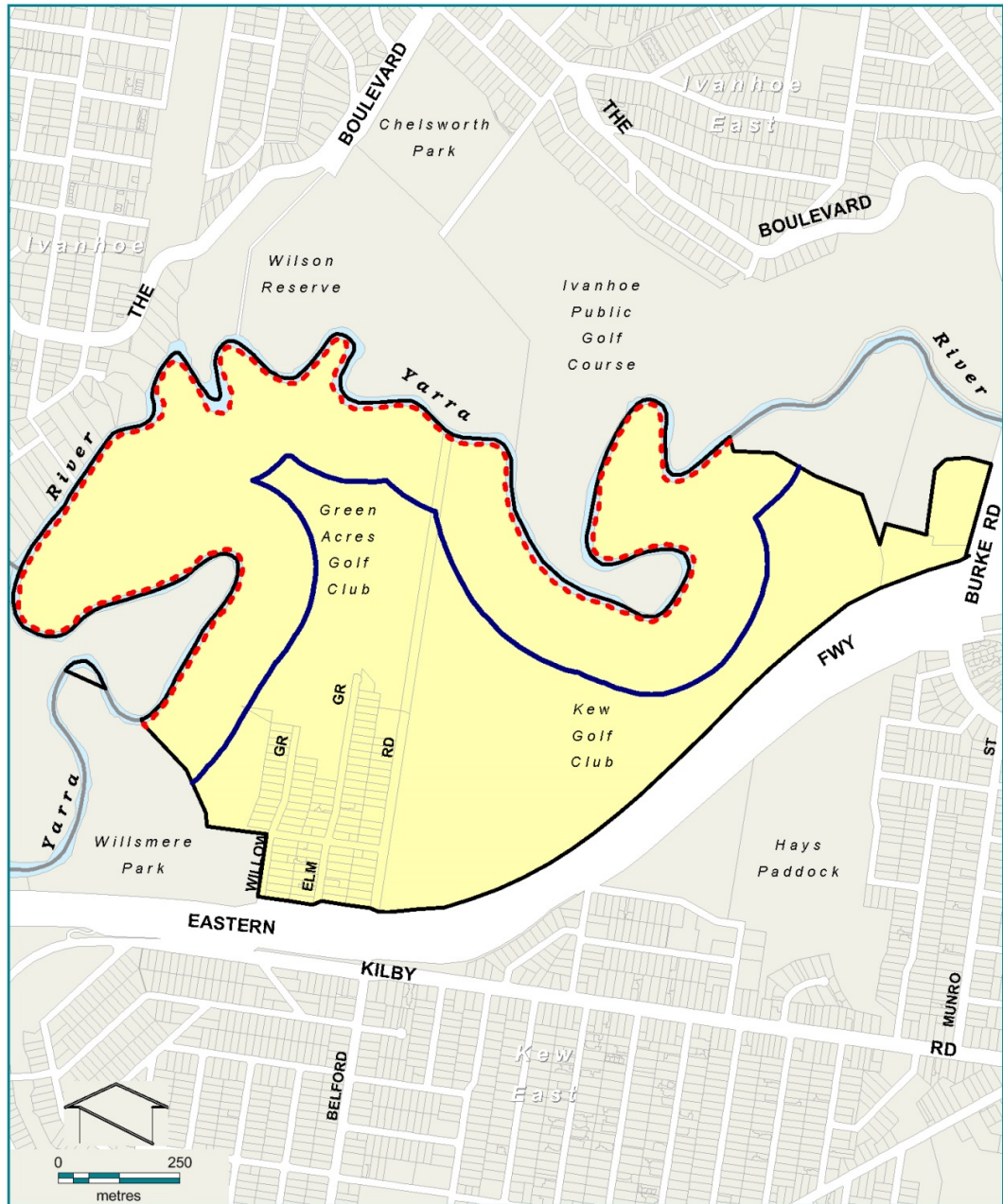
LEGEND

- Area Boundary
- Mandatory Minimum Setback Line *
- Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

BOROONDARA PLANNING SCHEME

DDO31 Setback Map Reference Area K - Chandler Basin, Kew East



LEGEND

-  Area Boundary
-  Mandatory Minimum Setback Line *
-  Setback Reference Line

* Setback line is an approximate location only. The precise location must be identified on a site survey plan prepared and certified by a suitable qualified surveyor.

3.0

20/04/2021
VC197

Subdivision

None specified.

4.0

20/04/2021
VC197

Signs

None specified.

5.028/07/2022
C313boro**Application requirements**

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

- A written assessment demonstrating how the proposal meets the objectives and requirements of this overlay.
- A site survey plan, certified by a qualified surveyor, showing:
 - All existing and proposed buildings and works.
 - The location of the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway.
 - The location of the minimum setback specified in the applicable table to this schedule, as measured from the Setback Reference Line away from the waterway.
- A site plan and elevations showing proposed building heights and the maximum building heights specified in the applicable table to this schedule using the Australian Height Datum (AHD) measured from ground level and including any proposed areas of cut and fill.
- A schedule of proposed materials and finishes.
- Shadow diagrams demonstrating how the proposed buildings and works meet the overshadowing requirements of this schedule.
- A visual impact assessment of proposed buildings and works from public viewing points within the Yarra River corridor as determined by the responsible authority.
- The percentage of the site occupied by buildings, tennis courts, swimming pools and any other existing or proposed impermeable surfaces.
- A landscaping plan, including a written explanation, which shows:
 - The type, location, quantity, height at maturity and botanical names of all proposed plants and details of any proposed tree protection zones.
 - How natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
 - How erosion will be managed and stability maintained or improved using soft landscaping techniques.
 - How the rate and quantity of stormwater leaving a property will be controlled and pollutants filtered, during and post construction.
- Where the complete or partial replacement of an existing building does not meet the minimum setback specified in the applicable table to this schedule, the application must be accompanied by a report which:
 - Provides a calculation of the existing and proposed gross floor area of all buildings.
 - Explains why the proposed building or works cannot be set back at least the minimum distance specified in applicable table.
 - Identifies any impacts on existing vegetation, the land, the flow of floodwaters or other environmental matters.
 - Explains how any environmental impacts will be mitigated.

6.028/07/2022
C313boro**Decision guidelines**

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

- The views of Melbourne Water as a recommending referral authority in accordance with section 55 of the Act for all applications within 100 metres of the Yarra River, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and Melbourne Water.

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

Landscape protection

- The visibility of any proposed buildings and works when viewed from the Yarra River and adjacent public open space, pedestrian and bicycle paths and bridge crossings.
- Whether sufficient space is provided between buildings to maintain views of the Yarra River and allow for the planting and growth of vegetation, including large canopy trees.
- Whether the siting of buildings and works avoids the removal of existing riparian vegetation. Whether any earthworks will affect public views of the river corridor.
- The need for additional landscaping or new vegetation screening to filter views of proposed buildings and works.

Siting and design

- Whether any additional overshadowing of public open space can be avoided by redesigning or relocating a proposed building or parts of it.
- Whether siting of proposed buildings impacts the river's natural flood and watercourse characteristics.
- Whether any proposed garages and outbuildings ancillary to a dwelling are integrated into the overall design to minimise the appearance of built form impacting public views of the river corridor.
- Whether the location, bulk, outline and appearance of any proposed building or works are in keeping with or enhance the natural landscape character and appearance of the Yarra River.
- The appropriateness of proposed materials and finishes for any proposed buildings and works in reducing contrast.

Site coverage and permeability

- The need to minimise impervious surfaces to allow for filtration of water and retention and establishment of indigenous vegetation and canopy trees.
- The need to limit areas, (including tennis courts and swimming pools) and other impervious surfaces within the minimum setback distance specified in a table to this schedule to allow for replanting and vegetation growth.
- Whether adequate spacing is provided between buildings to maintain and create views to the Yarra River and its corridor.

43.04

31/07/2018
VC148

DEVELOPMENT PLAN OVERLAY

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

31/07/2018
VC148

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

43.04-2

31/07/2018
VC148

Requirement before a permit is granted

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

31/07/2018
VC148

Exemption from notice and review

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

25/02/2025
VC257

Preparation of the development plan

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, Housing Choice and Transport 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.

28/07/2022
C313boro

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

METHODIST LADIES COLLEGE

1.0

28/07/2022
C313boro

Objectives

None specified.

2.0

28/07/2022
C313boro

Requirement before a permit is granted

None specified.

3.0

28/07/2022
C313boro

Conditions and requirements for permits

A permit must include the following conditions or requirements, as appropriate to the application:

- The maximum building height must be:
 - No greater than 2 storeys for the residential buildings.
 - No greater than single storey for the childhood facility and no higher than the apex of the existing roof of No 3 Rossfield Avenue.
 - No greater than 2 storeys for the junior school and multi-purpose space and no higher than the apex of the roof of the existing school.
- The facades and front gardens of Nos 3 and 5 Rossfield Avenue must be preserved as necessary in order to present a residential streetscape to Rossfield Avenue.
- Fencing along the northern boundary must include a landscaped buffer to ensure amenity, privacy and security to adjoining residential properties. Any fencing along Rossfield Avenue must be consistent with its character as a residential street.
- No vehicular or pedestrian access may be provided to the College property from Rossfield Avenue except for emergency purposes.
- Car parking must be single level at grade.

4.0

28/07/2022
C313boro

Requirements for development plan

A development plan must include the following requirements:

- The location, layout, height, dimensions and floor area of all buildings and works.
- The location, layout, dimensions and external surface treatment of all works, including materials, finishes and colours.
- The proposed use of each building.
- The location of all vehicle and pedestrian ways.
- The location and layout of all car parking areas and access to and from them, and a management plan for operating and maintaining the areas.
- The location of all open space, including areas available to the public.
- Proposed landscaping and a management plan for controlling and maintaining open space.
- The stages, if any, in which the land is to be developed with starting and completion dates for each stage.

The development plan and any amendment to the plan must be exhibited for a period of two weeks. The responsible authority must take into account any comments received when considering the development plan or any amendment to the plan.

28/07/2022
C313boro

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

INSTITUTIONAL USES

1.0

28/07/2022
C313boro

Objectives

None specified.

2.0

28/07/2022
C313boro

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for any of the following:

- The external alteration of a building by structural work, rendering, sandblasting or in any other way.
- The external painting of a building.
- The removal, destruction or lopping of a tree.
- The construction, display or removal of a sign.
- The demolition, removal or construction of a fence, an outbuilding (including carport, garage, pergola, shed or similar structure) or service installation.
- The construction of playground equipment, seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards or telephone boxes.

3.0

28/07/2022
C313boro

Conditions and requirements for permits

None specified.

4.0

28/07/2022
C313boro

Requirements for development plan

The development plan must show:

- Existing conditions.
- The size and dimensions of the land.
- Contours and levels, including levels of adjoining sites, to Australian Height Datum (AHD).
- Existing buildings on the land.
- Buildings to be removed and retained.
- Setbacks of buildings from all boundaries.
- The location and use of buildings adjacent to the subject site, including details of habitable room windows within 9m of the common boundary with an outlook towards the subject site and the location of private open space.
- Arborist report documenting health, height, species and spread of existing mature trees to be removed and retained.
- Existing trees located on adjacent properties, located within 5m of the common boundary.
- Number of years intended to be covered by the masterplan.
- Student and staff numbers, including details of the maximum number of staff that will be on site at any one time.
- Future building envelopes and three dimensional massing, including the scale of the development, design elements and treatment of the residential interface.

BOROONDARA PLANNING SCHEME

- One site setback analysis from any adjoining land in the General Residential Zone and Neighbourhood Residential Zone and within 5 metres of a common boundary.
- An analysis of potential overlooking and overshadowing from proposed buildings to nearby residences.
- Measures to address noise impacts to adjoining properties.
- Projection of floor area needs and specialist building needs.
- The proposed use of each building.
- Any proposed or forecast use and development of land located outside the existing Development Plan Overlay area.
- Proposed circulation and access systems for both vehicles and pedestrians.
- Parking and traffic management measures, including the location of on-site parking and drop-off and pick-up areas, preferred access routes and measures to address vehicle queuing.
- Proposed landscaping and planting.
- A schedule of proposed building materials, finishes and colours.
- Staging, including indicative measures for construction management.

28/07/2022
C313boro

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO3**.

KEW RESIDENTIAL SERVICES (KRS)

1.0

28/07/2022
C313boro

Objectives

None specified.

2.0

28/07/2022
C313boro

Requirement before a permit is granted

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority provided the responsible authority is satisfied that the subdivision, use, building or works will not prejudice the future use or development of the land in an integrated manner.

3.0

28/07/2022
C313boro

Conditions and requirements for permits

None specified.

4.0

28/07/2022
C313boro

Requirements for development plan

Kew Residential Services Urban Design Framework, October 2003

A development plan must be generally in accordance with the Kew Residential Services Urban Design Framework, October 2003 incorporated into this planning scheme.

Building height

A building must not exceed the maximum building height shown for areas on the Building Envelopes and Setbacks plan that is part of the Kew Residential Services Urban Design Framework, October 2003. This does not apply to a building that is in accordance with the Walker Development Plan – Kew, Building Height Envelope Plan, March 2006 incorporated into this planning scheme.

In calculating the building height, a storey has a maximum floor to floor dimension of 3.5m.

Building height is the vertical distance between the natural surface level at any point on the site and the highest part of the building at that point. It does not include architectural features and building services.

The edges of the building height envelopes shown on the Building Envelopes and Setbacks plan are indicative only. Minor variations, other than to dimensioned setbacks, resulting from the detailed design of the road layout, public open space and lot boundaries may be acceptable provided the principles and objectives in the Kew Residential Services Urban Design Framework, October 2003 are met to the satisfaction of the responsible authority.

Set back distances for buildings from the south and west boundary of KRS

All buildings more than 3.5m above ground level must be set back from the south and west boundaries of the KRS land at least the minimum set back distance shown on the Building Envelopes and Setbacks plan.

Staging

If a development plan is prepared for part of the land or for a stage of the development, the responsible authority must be satisfied that its approval will not prejudice the future use or development of the land in an integrated manner.

Information requirements

A development plan must be informed by a detailed site analysis of the features of the land and its strategic context. This analysis must be documented and provided with a development plan submitted for approval.

A development plan submitted for approval must include a written report that describes how the plan addresses the principles and objectives and the Framework Plan-The Vision in the Kew Residential Services Urban Design Framework, October 2003.

A development plan must show or include the following information to the satisfaction of the responsible authority, as appropriate:

- The land to which the development plan applies.
- The proposed use and development of each part of the land.
- The indicative staging and timing of development.
- The number and size of proposed lots.
- The number and type of dwellings.
- The height of all buildings, having regard to the Building Envelopes and Setbacks plan.
- Retention of the Parents Retreat/Chapel and the STAD Building in an appropriate setting and with a curtilage of at least 3m.
- Retention of the ceramic sculpture produced by Kew Residential Services residents, the long-term residents memorial plaque, the 1996 fire memorial and the Aboriginal scar tree in appropriate settings. The relocation of these items may be acceptable.
- Retention of the significant vegetation identified for protection.
- Tree protection zones for retained trees and a tree protection strategy to protect retained trees during construction and after the development is completed.
- An archaeological assessment.
- At least 27 per cent of the site set aside as public open space and located in the general areas shown on the Framework Plan-The Vision.
- A traffic engineering analysis and Roads Corporation comments.
- Indicative designs for the vehicle connection points to the existing road network. Vehicle access between the KRS site and Wills Street will not be permitted.
- The indicative internal road layout identifying the functional hierarchy and the dimensions of the road reserves in each category. The main collector road reserve should be of sufficient width to accommodate a public bus service through the site and provide accessible bus stops at appropriate locations.
- The location and design details of pedestrian and bicycle paths and connection points to the features external to the site. The grade and surface material of pedestrian paths available to the public must generally be suitable for people of all abilities.
- Treatment along the edges of the site, including compliance with the minimum setbacks for buildings more than 3.5m above ground level shown on the Building Envelopes and Setbacks plan.
- A landscape concept plan showing areas of public open space, retained trees, areas of new planting and planting themes, proposed facilities including pedestrian and bicycle paths, fence details, and the proposed management and maintenance regime for public open space.
- An integrated water management strategy. This may include a wetlands area in the north east part of the site.

- Arrangements for the provision of major infrastructure including water, sewerage, drainage, electricity, gas and telecommunications facilities. Electricity must be provided underground.
- A Sustainable Development Plan that sets out the environmental initiatives and performance targets to be achieved. The environmental initiatives must address, but are not limited to, strategies that:
 - Promote bicycle use and walking.
 - Encourage the use of public transport, if feasible.
 - Reduce potable water consumption.
 - Reduce stormwater runoff and improve its quality before it leaves the site.
 - Implement Water Sensitive Urban Design.
 - Reduce energy demand and peak loads.
 - Reduce waste volume sent to landfill through re-use and recycling.
- Design objectives and guidelines that address:
 - Overall theme.
 - Slope of the land.
 - Edge/interface treatments.
 - Siting and setbacks.
 - Building height, including graduating height between different building height envelopes.
 - Site coverage.
 - Solar orientation.
 - Garages and car ports.
 - Indicative materials and finishes.
 - Roof form and materials.
 - Fences.

Decision guidelines

Before deciding on a development plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Kew Residential Services Urban Design Framework, October 2003.
- The views of the Boroondara City Council, if received within 28 days of the date that Council is provided with the development plan.

28/09/2023
C376boro

SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO4**.

442-450 AUBURN ROAD AND 9 BILLS STREET, HAWTHORN

1.0

28/09/2023
C376boro

Objectives

- To achieve an integrated development of the land comprising more intensive predominantly residential development, including the provision of diverse and affordable housing.
- To establish a new built form scale and character of development that transitions down in height to established residential neighbourhoods on the opposite sides of Woodburn Road and Robinson Road.
- To set buildings within a landscaped setting, retain existing identified canopy trees, supplement existing landscaping with new canopy trees and landscaping, and provide publicly accessible, landscaped open space and pedestrian and shared pathways.
- To provide appropriate levels of on-site car and bicycle parking within basements that reflect the transport needs of future residents, accessed from locations which avoid unacceptable impacts on the safe and efficient operation of the local street network.
- To ensure new development achieves a net zero carbon outcome in accordance with the Climate Active Framework and best practice water sensitive urban design.

2.0

28/09/2023
C376boro

Requirement before a permit is granted

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority, provided the responsible authority is satisfied that the subdivision, use, building or works will not prejudice the future use or development of the land in an integrated manner.

3.0

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C376boro

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

Affordable housing

This requirement only applies to the first permit granted to construct a building on the land.

Before development starts the landowner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 to deliver an affordable housing contribution equivalent to 10% of all new dwellings provided on the land, in accordance with the preferred delivery method outlined in the development plan, or by an alternative method of an equivalent value, to the satisfaction of the responsible authority.

The agreement must specify the timing of the delivery of the contribution and a mechanism for the reporting of the outcome to the responsible authority. The landowner must meet all the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the responsible authority.

Construction Management Plan

Before the development starts a Construction Management Plan (CMP) must be submitted to and approved by the responsible authority. The CMP can be prepared and approved in stages, and must include the following information:

- Staging of construction.
- Protection of vegetation to be retained.
- Management of public access and linkages around the site during construction.

- Site access, parking and traffic management during construction.
- Any works within the adjacent road reserve.
- Sediment control and site drainage during construction.
- Hours of construction.
- Control of noise, dust and soiling of roadways during construction.
- Discharge of polluted waters during construction.
- Demolition and excavation.
- Storage of construction materials.
- Location of site offices, and cranes.
- Management of public safety during construction.
- Management of potentially contaminated materials.
- Collection and disposal of building and construction waste.
- Methodology for responding to complaints associated with the construction works.
- Site manager contact details

Tree Protection and Management Plan

Before the development starts an appropriately detailed Tree Protection and Management Plan (TPMP) must be submitted to and approved by the responsible authority. The TPMP must include:

- Identification of all trees on the site to be retained.
- Details of Tree Protection Zones, as per AS4970-2009 Protection of Trees on Development Sites, for all trees to be retained on the site and for all trees on neighbouring properties (including the public open space trees realm) where any part of the Tree Protection Zone falls within the subject site.
- Protection measures to be utilised and at what stage of the development (demolition, construction, landscaping) they will be implemented.
- Appointment of a project arborist detailing their role and responsibilities.
- Stages of development at which the project arborist will inspect tree protection measures. and
- Monitoring and certification by the project arborist of implemented protection measures.

4.0

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Requirements for development plan**Interpretation**

In this schedule, the Homes Victoria land means the land at 1-12 Bills Street Hawthorn.

For the purpose of the development plan, building height is measured in storeys above existing ground level (or, where specified, above existing footpath level). It does not include architectural features, building services or a basement.

Objectives

A development plan must achieve the objectives of Clause 1.0 and be generally in accordance with the requirements and Framework Plan at Figure 1 of this schedule.

Information requirements

A development plan must include:

- A survey plan showing existing ground levels.
- A Development Concept Plan showing:

- The land to which the development plan applies.
- The proposed use and development of each part of the land, including new building locations, car parking areas, vehicular and pedestrian accessways and open spaces.
- The indicative staging of development and details of arrangements to manage impacts of development of subsequent stages on previously completed stages.
- The number and type of dwellings.
- The extent of retail uses.
- Building envelopes including the siting, setbacks and heights of buildings in both storeys (overall storeys and storeys presenting to the street) and metres above a defined height datum.
- Preferred materials, finishes and expression of new buildings, including proposed treatments for key entrances, balconies and terraces.
- Fencing types.
- Car park and access principles, including location of crossovers.
- The preferred delivery method for affordable housing.
- The location of private, communal and publicly accessible open space.
- The location of any communal facilities.
- Linkages to surrounding areas, including the Homes Victoria land (where allowed by that land's owner).
- Areas of the site (including links, pathways and open spaces) that will be accessible to the public, and the times at which they will be accessible.
- A Landscape Concept Plan showing:
 - Measures to protect and maintain the Paul Thomson designed serpentine landscape along the Woodburn Road frontage.
 - Trees to be retained.
 - Tree protection zones for retained trees and a tree protection strategy to protect trees during construction and after the development is complete. The tree protection strategy must be consistent with the TPMP.
 - Areas of new planting and planting themes.
 - Proposed facilities including pedestrian paths, shared paths and fence details.
 - Communal and/or public open space and provision for pedestrian and bicycle links to and through this space.
 - Details of the visual links through new buildings to enable a visual connection from the street to the site's open spaces.
 - Landscaping of upper level balconies, including indicative sections for planter treatments, to soften and integrate upper-level skyline forms.
 - Details of the proposed access to and management of landscaped areas.
- An ESD Principles Report that demonstrates how development will achieve the ESD and Water Sensitive Urban Design objectives and requirements of this schedule.
- An Integrated Transport Plan including:
 - Traffic management and traffic control works required to facilitate the development.

- Car parking requirements for the development including the number of spaces and the location and layout of all car parking areas.
- Public transport availability.
- Bicycle parking and end of trip facilities.
- Bicycle and pedestrian ways and connections.
- A Public Realm Plan that describes the proposed upgrades to the Bills Street Road Reserve in accordance with the requirements of this schedule, including:
 - The extent to which footpaths are to be upgraded.
 - Street lighting, bike parking and street furniture proposed to be upgraded or provided.

Requirements for development

The development plan must require development to meet the following requirements:

Building height and setbacks

All building heights should be generally in accordance with the maximum building heights shown in Figure 1.

A residential storey should have a maximum floor to floor height of 3.5 metres and a non-residential storey should have a maximum floor to floor height of 5 metres.

Buildings should be set back to facilitate the retention of the Paul Thomson designed serpentine landscape along Woodburn Road and existing canopy trees on the land identified for retention in, generally in accordance with Figure 1.

Setbacks should ensure that buildings do not unreasonably impact on the streetscape. Setbacks along street frontages should be varied, within the following ranges:

- Robinson Road – setback range of 3 to 7 metres.
- Woodburn Road – setback range of 6 to 12 metres.
- Auburn Road – setback range of 6 to 10 metres.
- Bills Street – setback range of 3 to 6 metres.
- The boundary of the Homes Victoria land – minimum setback of 4.5 metres.

Ground level landscaped breaks of at least 9 metres in width should be provided between new buildings, generally in accordance with the locations shown in Figure 1. The landscaped breaks should be open to the sky.

Visual links should be provided through new buildings to landscaped spaces, generally in the locations shown in Figure 1.

Upper levels of buildings will should be designed to ensure they do not unreasonably impact on the character of the streetscape through measures such as articulation, landscaped balconies, materials and finishes and recessing.

Layout of development

Buildings should be oriented to avoid excessive overshadowing or loss of privacy both internal and external to the site.

Communal facilities should be located and configured to enable effective use of the adjoining open spaces, where applicable.

Design responses

New development should include a diversity of design approaches and materials and finishes that assist to integrate the overall development with the surrounding neighbourhood and avoid homogenous expression.

Land use

New development should be substantially dwellings, except for permissible retail uses, which should be confined to the location prescribed in Figure 1, to the satisfaction of the responsible authority.

Affordable housing

10% of all new dwellings provided on the land should be provided as Affordable Housing, as defined in the Planning and Environment Act 1987, to the satisfaction of the responsible authority.

Environmentally sustainable design

New development should meet the following Environmentally Sustainable Design (ESD) outcomes:

- 5 Star Greenstar.
- 7 star NatHERS Rating.
- Net zero carbon certified in accordance with the Climate Active Framework.
- Best practice performance objectives for stormwater quality as contained in the Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999).

Tree retention, landscaping and open space

All trees identified in Figure 1 should be retained, protected in accordance with the TPMP and integrated with development, in accordance with the legend to Figure 1. Landscaping Zones and Open Space should be provided in the locations shown in Figure 1.

Locations of Open Space in Figure 1 are indicative only.

The Landscaping Zones and Open Space should be designed and landscaped to:

- Enhance, and respect and complement the design integrity of the Paul Thomson designed serpentine landscape.
- Enhance retained canopy trees and the landscape character of the neighbourhood.
- Provides high quality private and communal open space for future residents.
- Provide high quality publicly accessible open space areas.

Built form within the Landscaping Zones and Open Space areas should be limited, and any built form must complement and be integrated with the landscaping.

New development should be designed and sited to provide:

- Minimum garden area, as defined by Clause 73.01, of at least 35% of the site's area.
- Deep soil planting areas in excess of the minimum required by Standard D10 of Clause 58.03-5, including opportunities for deep soil planting along the Robinson Road frontage and the interface with the Homes Victoria land.

- Open space of at least 2,670 square metres, generally in the indicative locations shown in Figure 1, that is publicly accessible, and designed and located to be inviting and clearly accessible to the public during daylight hours.
- Pedestrian connections to the adjacent public housing redevelopment at the Homes Victoria land, where permitted by that land's owner.

Car Parking, access and movement

Basement car parks should be designed and sited to minimise their visual impact on the streetscapes, whilst ensuring the safe and efficient movement of vehicles.

Crossovers should be located generally in accordance with locations shown in Figure 1.

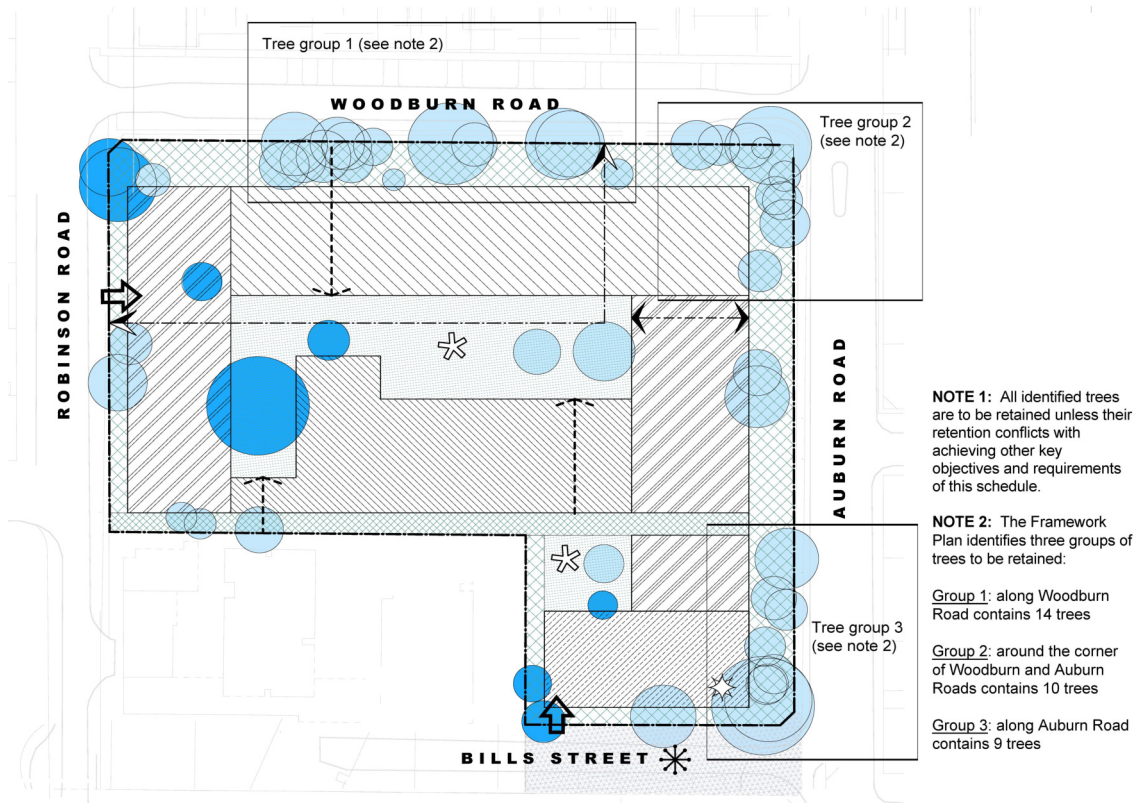
A shared bicycle/pedestrian pathway should be provided at the interface with the Homes Victoria land and extending east to Auburn Road, generally in the location shown in Figure 1.

A publicly accessible, landscaped east-west pedestrian link should be provided between Robinson Road and Auburn Road, generally in accordance with the location shown in Figure 1.

Bills Street upgrades

New development should include upgrades to the section of the Bills Street Road reserve between Auburn Road and the land's western boundary (as shown on Figure 1), to improve pedestrian amenity and landscape outcomes, to the satisfaction of the Responsible Authority and the road management authority.

Framework plan



LEGEND	
PRECINCT BOUNDARIES	
ROBINSON ROAD PRECINCT MAXIMUM 4 STOREYS (PRESENTING AS 3-4 STOREYS ABOVE THE ADJACENT FOOTPATH LEVEL)	
WOODBURN ROAD PRECINCT MAXIMUM 4-6 STOREYS (PRESENTING AS 3-4 STOREYS ABOVE FOOTPATH LEVEL TO WOODBURN RD)	
AUBURN ROAD PRECINCT MAXIMUM 7 STOREYS (PRESENTING AS 6 STOREYS ABOVE THE ADJACENT FOOTPATH LEVEL)	
BILLS STREET PRECINCT MAXIMUM 7 STOREYS WITH RETAIL TO GROUND FLOOR	
INTERNAL RESIDENTIAL PRECINCT MAXIMUM 7 STOREY HEIGHT (PRESENTING AS 6 STOREYS ABOVE THE LEVEL OF THE BIKE AND PEDESTRIAN CONNECTION)	
LANDSCAPING ZONE EXISTING LANDSCAPED SETBACKS RESPECTED, IDENTIFIED TREES RETAINED AND PROTECTED, AND NEW COMPLEMENTARY LANDSCAPING PROVIDED	
BIKE / PEDESTRIAN CONNECTION INDICATIVE ALIGNMENT OF NEW SHARED BIKE / PEDESTRIAN CONNECTION AND MINIMUM 4.5 METRE BUILDING SETBACK (24 HOUR PUBLIC ACCESS)	
INDICATIVE LOCATION OF PUBLICLY ACCESSIBLE OPEN SPACE	
UPGRADES AND IMPROVEMENTS TO BILLS ST ROAD RESERVE	
RETAIL USES	
PRIMARY VEHICLE ACCESS POINTS TO BASEMENT CARPARKS	
INDICATIVE GROUND LEVEL (AND ABOVE) BREAKS BETWEEN BUILDINGS	
INDICATIVE LOCATION OF LINKS BETWEEN BUILDINGS (OPEN TO THE SKY, NOT PUBLICLY ACCESSIBLE)	
PEDESTRIAN LINK (DAYTIME PUBLIC ACCESS)	
EXISTING SIGNIFICANT TREES ON SITE TO BE RETAINED OR RELOCATED	
EXISTING TREES ON SITE TO BE RETAINED (SEE NOTES)	

43.06

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VC257

BUILT FORM OVERLAY

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

Purpose

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

To facilitate higher density development that provides for high amenity living and working environments close to infrastructure and public transport.

To ensure development contributes positively to the functionality and amenity of the area.

To deliver public realm improvements, and where appropriate, additional public benefits in conjunction with new development.

To encourage land consolidation to facilitate higher density development.

To encourage a diversity of housing types and affordable housing.

To identify areas where specific design and built form requirements apply.

43.06-1

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VC257

Development objectives

A schedule to this overlay may specify development objectives.

43.06-2

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VC257

Development framework

A schedule to this overlay must contain a development framework.

The development framework may consist of maps, plans, character statements and tables.

The development framework may:

- Outline the planned urban structure for the land including the distribution of building typologies.
- Contain a table specifying the building typologies and future character for the land or each part of the land.
- Include a movement and place framework that is consistent with *Movement and place in Victoria* (Department of Transport, February 2019).
- Include a public realm and open space framework.
- Specify the anticipated dwelling number and floorspace yields for the land or each part of the land.
- Identify sensitive interfaces and areas where built form needs to transition to the built form in the surrounding area.
- Identify areas where land consolidation will be encouraged to facilitate the preferred scale of development.
- Identify new streets, lanes, arcades and through building connections.
- Identify views to significant landmarks and features that should be maintained.
- Identify land with significant terminating vistas in the public realm that require distinctive development.
- Identify heritage places that are specified in the schedule to the Heritage Overlay.

43.06-3

25/02/2025
VC257

Master plan requirements

A schedule to this overlay may specify land to which the master plan requirements in clause 43.06-3 apply.

Requirement before a permit is granted

If a schedule to this overlay specifies that the master plan requirements in this clause apply to land, a permit must not be granted to use or subdivide the land, or to construct a building or construct or carry out works on the land, until a master plan has been prepared in accordance with this clause 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 master plan has been prepared to the satisfaction of the responsible authority.

A permit granted must be generally in accordance with the master plan.

Preparation of a master plan

A master plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A master plan must describe:

- The land to which the plan applies.
- The proposed use, development and floor area of each part of the land.
- Any staging or sequencing of development needed.
- The scale of development on the land.
- The siting and orientation of buildings.
- Any open space, vehicle access and pedestrian links required.
- Key interfaces.
- Any stormwater management measures, including any infrastructure and alternative water sources or treatments.
- Any other requirements specified for the master plan in a schedule to this overlay.

The master plan may be amended to the satisfaction of the responsible authority.

43.06-4

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VC257

Operation

Relationship to other provision of this planning scheme

A schedule to this overlay may specify that if there is any inconsistency between the outcomes and standards in this overlay or a schedule to this overlay and any other provision in this planning scheme, the outcomes and standards in this overlay or a schedule to this overlay prevail.

Outcomes and standards

This overlay includes, and a schedule to this overlay may include:

- **Outcomes.** An outcome sets out the expectations of what will be achieved in a development.
- **Standards.** A standard contains a measure or condition related to the corresponding outcome.
- **Decision guidelines.** Decision guidelines set out the matters that the responsible authority must consider before deciding if an outcome is met.

Each standard in this overlay is, and included in a schedule to this overlay must be, identified as:

- a **discretionary standard** expressed using ‘should’ or labelled as ‘discretionary’; or
- a **mandatory standard** expressed using ‘must’ or labelled as ‘mandatory’.

A standard (whether a mandatory or discretionary standard) may also be nominated as a **deemed to comply standard**, using ‘complies if’ or labelled as ‘deemed to comply’.

If a mandatory or discretionary standard is met, the corresponding outcome may be met.

If a deemed to comply standard (whether a mandatory or discretionary standard) is met, the corresponding outcome is deemed to have been met and the responsible authority must not consider, and is exempt from considering, any decision guidelines corresponding to that outcome.

Quantitative standards (where a specified measure is to be achieved) may be expressed using the terms ‘minimum’ or ‘maximum’.

If a quantitative standard is expressed using the term ‘minimum’, that standard is met if a development meets or exceeds the specified measure.

If a quantitative standard is expressed using the term ‘maximum’, that standard is met if a development does not exceed the specified measure.

If a quantitative standard is not expressed using the terms ‘minimum’ or ‘maximum’ but is instead an exact measure, that standard is met if a development exactly meets the specified measure.

A schedule to this overlay may:

- Specify that any outcome in this overlay does not apply.
- Specify that a standard in this overlay does not apply.
- Specify additional standards for any outcome in this overlay.
- Vary, replace or make mandatory any standard in this overlay.
- Specify decision guidelines for any outcome in this overlay.
- Specify outcomes, standards and decision guidelines for any other matter relating to design or built form.

If a schedule to this overlay specifies that an outcome does not apply, any corresponding standard also does not apply.

If a schedule to this overlay specifies that a permit is required to construct a fence, a standard for fencing must be specified in that schedule.

Note: The relevant measures for standards will typically be presented in a schedule to this overlay as maps or tables. The maps and tables in a schedule are to be read in conjunction with the applicable standard in this overlay.

Requirements to be met

Except if a public benefit is provided in accordance with a public benefit uplift framework to the satisfaction of the responsible authority or if a schedule to this overlay specifies otherwise, the construction of a building and the construction and carrying out of works:

- Must meet the outcomes specified in this overlay or a schedule to this overlay.
- Must meet any mandatory standard specified in this overlay or a schedule to this overlay.
- Should meet any discretionary standard specified in this overlay or a schedule to this overlay. However, if the responsible authority is satisfied that an application for an alternative design solution meets the outcome, the alternative design solution may be considered acceptable.
- Can meet a deemed to comply standard, and if it does, it is deemed to meet the corresponding outcome for that standard.

43.06-5

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VC257

Public benefit uplift framework

A schedule to this overlay may specify a mandatory standard that can only be exceeded if a public benefit is provided.

A schedule may set out public benefits and how they are to be calculated.

Public benefits may include:

- Affordable housing.

- Public realm works.
- Public open space.
- Strategic land uses.
- Any other works, services or facilities that benefit the community living in, working in or visiting the area to which this overlay applies.

Notes:

1. *Public benefits under this provision are calculated over and above any requirements set out in clause 45.01 (Public Acquisition Overlay), clause 45.06 (Development Contributions Plan Overlay), clause 45.09 (Parking Overlay), clause 45.10 (Infrastructure Contributions Plan Overlay), clause 45.11 (Infrastructure Contributions Overlay) or clause 53.01 (Public open space contribution and subdivision) in this planning scheme and any open space requirement specified in a schedule to this overlay.*
2. *In activity centres, public benefits are intended to relate to site specific or local area benefits such as new pedestrian links or improvements to the public realm.*

Permit condition requirement

In deciding to grant a permit to construct a building or construct or carry out works that exceeds a standard on the basis that a public benefit will be provided, the responsible authority must include a condition that requires the provision of the benefit to be secured by an agreement made under section 173 of the Act.

The above requirement to include a condition does not apply to a decision to grant an amendment to a permit if the amendment does not increase the extent to which the permitted buildings or works exceed a standard.

43.06-6

25/02/2025
VC257

Buildings and works

Permit requirements

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 installation of an automatic teller machine.
- To an alteration to an existing building facade if:
 - The alteration does not include the installation of an external roller shutter.
 - Standard BF09 is met.
- To an awning that projects over a road if it is authorised by the relevant public land manager.
- To buildings and works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- To external works to provide access for persons with disabilities that comply with all legislative requirements.

A permit is required to construct a fence if specified in a schedule to this overlay.

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

Class of application	Information requirements and decision guidelines
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
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 special purpose zone (other than the Urban Floodway Zone, Urban Growth Zone or Port Zone).	Clause 59.05

43.06-7

25/02/2025
VC257

Outcomes and standards

43.06-7.1

Building typology and future character

Outcome

Development that:

- Responds to the planned urban structure, building typologies and future character for the land in the development framework.
- Responds appropriately to any heritage places and transition areas identified in the development framework.
- Delivers walkable neighbourhoods with a high-quality, permeable pedestrian network through the creation of new streets, lanes, arcades or connections through buildings.
- Protects views to significant landmarks or features identified in the development framework.
- Encourages land consolidation to facilitate the preferred scale of development.

Standard BF01

Development must be consistent with the urban structure, building typologies and future character for the land in the development framework.

43.06-7.2

Building heights

Outcome

Building heights that:

- Maintain an inviting and comfortable environment within the public realm in terms of its sense of sunlight, daylight and wind conditions.
- Provide a transition in scale to adjacent areas with less intensive built form expectations.
- Protect views to significant landmarks or features identified in the development framework.

Standard BF02

Building heights:

- Should be consistent with any applicable discretionary standard specified for this outcome in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for this outcome in a schedule to this overlay.

Maximum building heights specified in a standard do not apply to:

- Non habitable architectural features.
- Service equipment and structures including plant rooms, lift overruns, structures associated with green roof areas, including access stairs and lifts, unenclosed pergolas for communal areas, shading devices, and other such equipment.

43.06-7.3 Floor area ratios

Outcome

Floor area ratios that provide a scale and density to support population and employment growth, consistent with the building typologies and future character specified in the development framework.

Standard BF03

The floor area ratio of development:

- Should be consistent with any applicable discretionary standard specified for this outcome in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for this outcome in a schedule to this overlay.

43.06-7.4 Overshadowing of open space or public realm

Outcome

Development that:

- Maintains solar access to key pedestrian streets and existing or proposed public open spaces identified in a schedule to this overlay.
- Achieves a balance between supporting growth and delivering high levels of amenity in the context of the outcomes that apply to the land.

Standard BF04

Buildings should not cast any additional shadow beyond that cast by the applicable preferred or maximum street wall height specified in a schedule to this overlay for standard BF05 and existing buildings over:

- The existing or proposed public open spaces identified in a schedule to this overlay for the hours specified in that schedule.
- The existing or proposed key pedestrian streets identified in a schedule to this overlay for the hours specified in that schedule.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

43.06-7.5 Front setbacks, street wall heights, setbacks above the street wall and landscaped setbacks

Outcomes

Front setbacks, street wall heights and setbacks above the street wall that:

- Provide strong spatial definition to the public realm while maintaining good daylight access to open spaces, streets and lower levels of buildings and clear views to the sky, where possible.
- Avoid visually overwhelming the public realm.

- Are sympathetic to:
 - Any heritage place identified in the development framework.
 - The future character specified in the development framework.
- Contribute to the privacy of any ground floor dwellings.
- Distinguish upper levels from the street wall.

Landscaped setbacks, including setbacks that can accommodate deep soil planting and canopy trees, that enhance the amenity of the public realm in locations identified in a schedule to this overlay.

Standard BF05

Front setbacks, street wall heights, setbacks above the street wall and landscaped setbacks:

- Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.

Any maximum street wall height specified in a schedule to this overlay does not apply to non-habitable architectural features that exceed the specified maximum height by not more than 3 metres.

If a new building is on a corner with two different maximum street wall heights specified in a schedule to this overlay, the taller maximum street wall height applies to the frontage with the lower maximum street wall height for a distance of 20 metres along the street frontage.

43.06-7.6 Side and rear setbacks and building separation within a site

Outcomes

Side and rear setbacks that:

- Respond to sensitive interfaces.
- Provide for landscaping.
- Maintain access to daylight and sunlight in streets, laneways and pedestrian connections.
- Deliver high levels of amenity within buildings having regard to outlook, daylight and overlooking.
- Achieve privacy through setbacks rather than screening.

Separation between buildings within the same site that:

- Delivers high levels of amenity within buildings having regard to outlook, daylight and overlooking.
- Offsets direct views between buildings.
- Achieves privacy by building separation rather than screening.

Standard BF06

Side and rear setbacks and building separation within a site:

- Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.

Any maximum length for a new wall or carport constructed on a side or rear boundary of a lot specified in a standard for these outcomes does not apply where the slope, 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.

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 side and rear setbacks.

Landings with an area of not more than 2 square metres and a height of less than 1 metre, stairways, ramps, pergolas, shade sails and carports may encroach into side and rear setbacks provided they do not overshadow neighbouring open space.

43.06-7.7 Building layout and adaptability

Outcomes

Buildings that:

- Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building.
- Maximise passive surveillance and interaction with the public realm.
- Provide an appropriate interface with the public realm.

Floor to floor heights that:

- Allow retail and commercial uses that support a high level of amenity and adaptation over time.
- Have ground floor heights that allow both retail and commercial uses.

Standard BF07

Buildings should:

- Include upper level balconies and windows with a direct visual connection to the public realm.
- Avoid tinted, opaque or high reflectivity glass which obscures views between the public realm and building interior.
- Sleeve large floorplate tenancies, car parking or service areas where they interface with the public realm.
- Avoid narrow publicly accessible alcoves and recesses that lack a clear public purpose.
- Avoid entrapment areas and areas with limited passive surveillance.

Floor to floor heights:

- Should be consistent with any applicable discretionary standard specified for this outcome in the schedule to this overlay.
- Must be consistent with any mandatory standard specified for this outcome in a schedule to this overlay.

43.06-7.8 Wind effects on the public realm

Outcome

Development that minimises wind impacts to create and maintain a safe and pleasant environment in the public realm for pedestrians to walk, sit or stand.

Standard BF08

Development of five or more storeys, excluding a basement:

- must not cause new or exacerbate existing unsafe wind conditions specified in Table 1 in public land, publicly accessible areas on private land, private open space and communal open space; and
- should achieve comfortable wind conditions specified in Table 1 in public land and publicly accessible areas on private land,

within the assessment distance shown in Diagram 1.

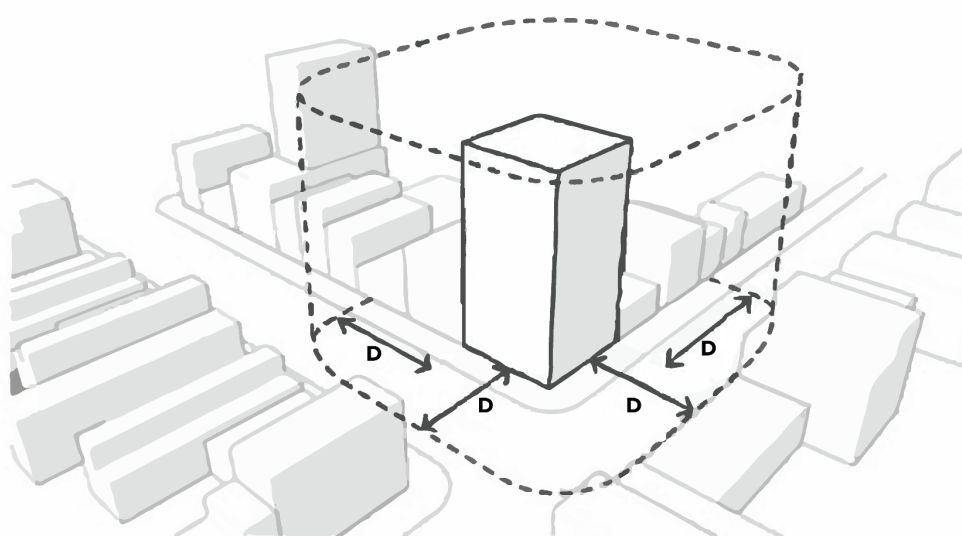
Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas where trees and landscaping may be used to supplement fixed wind mitigation elements.

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 1: 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.

Diagram 1: Assessment distance for wind effects



**ASSESSMENT DISTANCE D = GREATER OF:
L/2 (HALF LONGEST WIDTH OF BUILDING) OR
H/2 (HALF OVERALL HEIGHT OF BUILDING)**

43.06-7.9

Active frontages

Outcome

Active frontages that:

- Contribute to the use, activity, safety and interest of the public realm.

- Provide continuity of ground floor activity along streets and laneways.
- Allow for clear identification of building entries and unobstructed views through openings into the ground floor of buildings.

Standard BF09

An entry or window should be provided for at least the specified percentage of the combined length of the ground level interfaces of a building on frontages specified in a schedule to this overlay.

The entry or window measurement includes:

- Stall risers to a height of 700mm.
- Pilasters.
- Window and door frames.
- Windows that have clear glazing without stickers or paint that obscures views.

For corner sites, active frontages on the main street should extend along the side street to create a sense of address with clear glazing and allow for side entry where appropriate.

Security grills or mesh should:

- Be transparent.
- Not block views into tenancies at night.
- Be mounted internally to the shop windows.

The ground level frontage requirements do not apply to the development of a contributory or significant heritage place specified in the schedule to the Heritage Overlay.

Development of a contributory or significant heritage place specified in the schedule to the Heritage Overlay should not reduce existing compliance with this standard.

43.06-7.10 Pedestrian connections**Outcome**

Pedestrian connections that are:

- Safe and attractive.
- Accessible by people of all abilities.
- Easily identified and legible.
- Designed to enable extended stays within a space such as sitting and eating.

Standard BF10

If a schedule to this overlay identifies a pedestrian connection as:

- ‘Specific’, development should provide the connection along the alignment indicated.
- ‘Indicative’, development should provide the connection along the alignment indicated or a different alignment that provides the same connectivity.

Pedestrian connections should be:

- Direct, attractive, well-lit and provide a line of sight from one end to the other.
- Safe and free of entrapment spaces and areas with limited passive surveillance.
- Publicly accessible at ground level and appropriately secured by an appropriate mechanism where relevant.

- Overlooked by windows, balconies, or both, on both sides, including at ground floor level.
- Designed to consider the function and design of the full length and width of the connection, including the functional layout, levels and landscaping where it spans multiple lots.

43.06-7.11 Weather protection

Outcome

Weather protection that:

- Delivers pedestrian comfort in the public realm via protection from rain, wind and summer sun.
- Uses canopies that are functional, of high-quality design and contribute to the human scale of the street.

Standard BF11

Development should include continuous weather protection along the streets and lanes identified in the development framework except where a heritage place warrants an alternative approach.

Weather protection canopies should be:

- Between 3.5 metres and 5 metres above ground measured to the underside of the eave.
- Designed to minimise impact on existing or proposed street trees.
- Broken in design to reflect the prevailing grain and width of building frontages.

43.06-7.12 Landscaping and fencing

Outcome

Landscaping and fencing that:

- Delivers a safe and attractive public and private realm.
- Balances occupant privacy with activation and surveillance of the public realm.
- Reinforces underlying natural landscape character including biodiversity values.
- Provides shade in summer, including from canopy trees.
- Does not create long expanses of blank wall facing the public realm.
- Provides appropriate delineation between the public and private realm.

This outcome only applies to a fence if a permit is required to construct a fence under this overlay and a schedule to this overlay specifies a standard for fencing.

Standard BF12

Landscaping should:

- Provide shade to outdoor areas exposed to summer sun by canopy trees or shade structures.
- Provide space for sufficient soil depth to support the proposed vegetation, including canopy trees.
- Use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Include climbing plants or smaller plants in planters and outdoor areas, including communal outdoor open space.
- Respond to the soil type and drainage patterns of the site.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.

43.06-7.13 Car parking design

Outcome

Car parking that:

- Minimises the impact of car parking on the public realm.
- Minimises adverse impact on pedestrian and movement networks.
- Use land efficiently.
- May be adapted for alternative uses in the future.

Standard BF13

Vehicle access to car parks should not be located on roads identified in a schedule to this overlay as roads where vehicle access to car parks is discouraged.

Gates or doors to car parks should be fitted close to the building alignment to avoid the creation of unsafe entrapment space, and designed as integrated elements of the building facade.

The location and width of car park entries should:

- Minimise impacts on the pedestrian network.
- Avoid entries on sites where they impact on the activation and safety of the public realm.

Car parks should be designed to enable future adaptation without the need for demolition or significant rebuilding. This may include minimising load bearing walls and ramped areas.

Above ground level car parking should:

- Be sleeved to streets and open spaces with active frontages.
- Have a floor to floor height of at least:
 - 4 metres for the ground floor.
 - 3.5 metres for other floors.

43.06-7.14 Building services

Outcome

Building services that:

- Are integrated in the building design and minimise impacts on the public realm.
- Maximise the quality and activation of the public realm.
- Do not dominate the pedestrian experience and are designed as an integrated design element.

Standard BF14

The location and width of loading bays should minimise impacts on the pedestrian network.

Ground floor building services, including waste, parking and loading access, should be minimised and located away from streets and public spaces, or within basements or upper levels.

Waste and loading access should not be located on the roads identified in a schedule to this overlay as roads where waste and loading access is discouraged.

Spaces for waste or loading should not adversely impact safety and continuity of the public realm.

Access doors to any waste, parking or loading area should:

- Be positioned no more than 500 millimetres from the street edge.
- Be designed as an integrated element of the building.

Service cabinets should:

- Be located internally with waste, parking or loading areas where possible.
- Not visually dominate street frontages.
- Use high-quality materials.

Rooftop plant, services and antennae should be integrated into the overall building form.

43.06-7.15 Exterior design

Outcome

Exterior design that:

- Responds to the preferred built form character of its context.
- Is visually interesting when viewed up close and from a distance.
- Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience.
- Delivers high-quality design on all visible sides of a building and on rooftops visible from the public realm.
- Provides visual connection between the public realm and interior spaces at the ground level interface.
- Provides adequate clearance heights that do not obstruct the service functions of a street or laneway.

Standard BF15

Facades should:

- Provide for depth and a balance of light and shadow on the street wall and upper levels through the use of balconies, integrated shading, rebates or expression of structural elements.
- Avoid finishes with a perpendicular reflectivity of more than 15 per cent, measured at 90 degrees to the facade surface or as specified in a schedule to this overlay.

Blank walls that are visible from the public realm should be articulated by textured materials, patterning or artwork.

Facade projections and balconies should:

- Be at least 5 metres above any public space measured from ground level.
- Allow for growth of existing and planned street trees in upper level projections and canopies.
- Limit upper level projections, such as adjustable screens or windows, cornices or other architectural features, into streets or laneways up to 300 millimetres.
- Not include enclosed balconies or habitable floor space projecting over the public realm.

Materials should be:

- Natural, tactile and visually interesting at the lower levels near the public interface to reinforce a human scale.
- Durable, robust and low maintenance in the higher parts of a building.

Materials and finishes, such as painted concrete or ventilation louvres, should be avoided at the lower levels where they undermine the visually rich, tactile quality of streets and laneways.

43.06-825/02/2025
VC257**Subdivision****Permit requirements**

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.

Any requirement in a schedule to this overlay must be met.

A permit must not be granted which would allow a separate lot to be created for land containing a small second dwelling.

Public open space contribution requirement

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in a schedule to this overlay (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 a public open space contribution requirement is specified in a schedule to this overlay:

- The public open space contribution requirement of clause 53.01 does not apply.
- The exemptions in clause 53.01-1 and clause 53.01-2 apply to the requirement.

If a public open space contribution requirement is not specified in a schedule to this overlay, the requirements of clause 53.01 continue to apply.

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

43.06-925/02/2025
VC257**Application requirements****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 design response that explains how the proposed design responds to:
 - The development framework and any development objectives specified in a schedule to this overlay.
 - Any applicable outcome and standard specified in this overlay or a schedule to this overlay.
- Correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.
- Any information specified in a schedule to this overlay.

Subdivision

An application to subdivide land must be accompanied by any information specified in a schedule to this overlay.

43.06-1025/02/2025
VC257**Exemption from notice and review**

An application under any provision of this planning scheme to construct a building or to construct or carry out works, or 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 unless a schedule to this overlay specifies otherwise.

43.06-1125/02/2025
VC257**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in clause 65 and any decision guidelines specified in a schedule to this overlay, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The development framework.
- Any applicable public benefit uplift framework.
- *Movement and place in Victoria* (Department of Transport, February 2019).
- The level of amenity for building occupants.
- Movement systems through and around the site including the movement of pedestrians and cyclists, vehicles providing for supplies, waste removal, emergency services, and public transport and car parking.

43.06-1225/02/2025
VC257**Mandatory permit conditions**

The responsible authority must include any mandatory permit condition specified in this overlay or schedule to this overlay in deciding to grant a permit under this overlay or for land for which a master plan has been prepared in accordance with clause 43.06-3.

Floor area ratio mandatory permit condition

If a schedule to this overlay specifies a floor area ratio for a site for the purposes of standard BF03, in deciding to grant a permit for the development of part of that site, unless a schedule to this overlay specifies otherwise, the responsible authority must include a condition that requires the

owner of the land to enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that specifies a floor area ratio that applies to the development of the balance of the site.

43.06-13

25/02/2025
VC257

Signs

Sign requirements are at clause 52.05.

A schedule to this overlay may specify additional requirements for the development of land for signs.

43.06-14

25/02/2025
VC257

Transitional provisions

A schedule to this overlay may specify transitional provisions.

43.06-15

25/02/2025
VC257

Meaning of terms

In this overlay and a schedule to this overlay:

- ***building services*** means areas used for the purposes of loading, waste management and electrical, communications, gas, water and fire prevention infrastructure;
- ***public benefit uplift framework*** means a framework included or explicitly referenced in a schedule to this overlay that sets out allowable public benefits and how they are to be calculated;
- ***development framework*** means the development framework contained in a schedule to this overlay;
- ***floor area ratio*** means the gross floor area of all buildings on a site plus the area of voids associated with lifts, car stackers and similar service elements considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor, divided by the area of the site;
- ***laneway*** means a road reserve of a public highway 9 metres wide or less;
- ***master plan*** means a master plan prepared in accordance with clause 43.06-3;
- ***pedestrian connection*** means a publicly accessible street with a defined footpath, a shared zone, a pedestrian only laneway (covered or open), an arcade, a through building connection and an atrium;
- ***sleeve*** means to position active uses between large floorplate tenancies, car park or service areas and the public realm;
- ***street wall*** means any part of a building constructed within 0.3 metres of an existing or proposed street, laneway or public open space.

11/04/2025
GC252

SCHEDULE 1 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO1**.

CAMBERWELL JUNCTION MAJOR ACTIVITY CENTRE

1.0

11/04/2025
GC252

Development objectives

To guide new development at greater scale and density in appropriate locations.

To achieve design excellence and contemporary architecture that enhances the character of the centre and makes a positive contribution to the public realm.

To enable development that enhances the public realm through high quality design and appropriately responds to built heritage and environmental constraints.

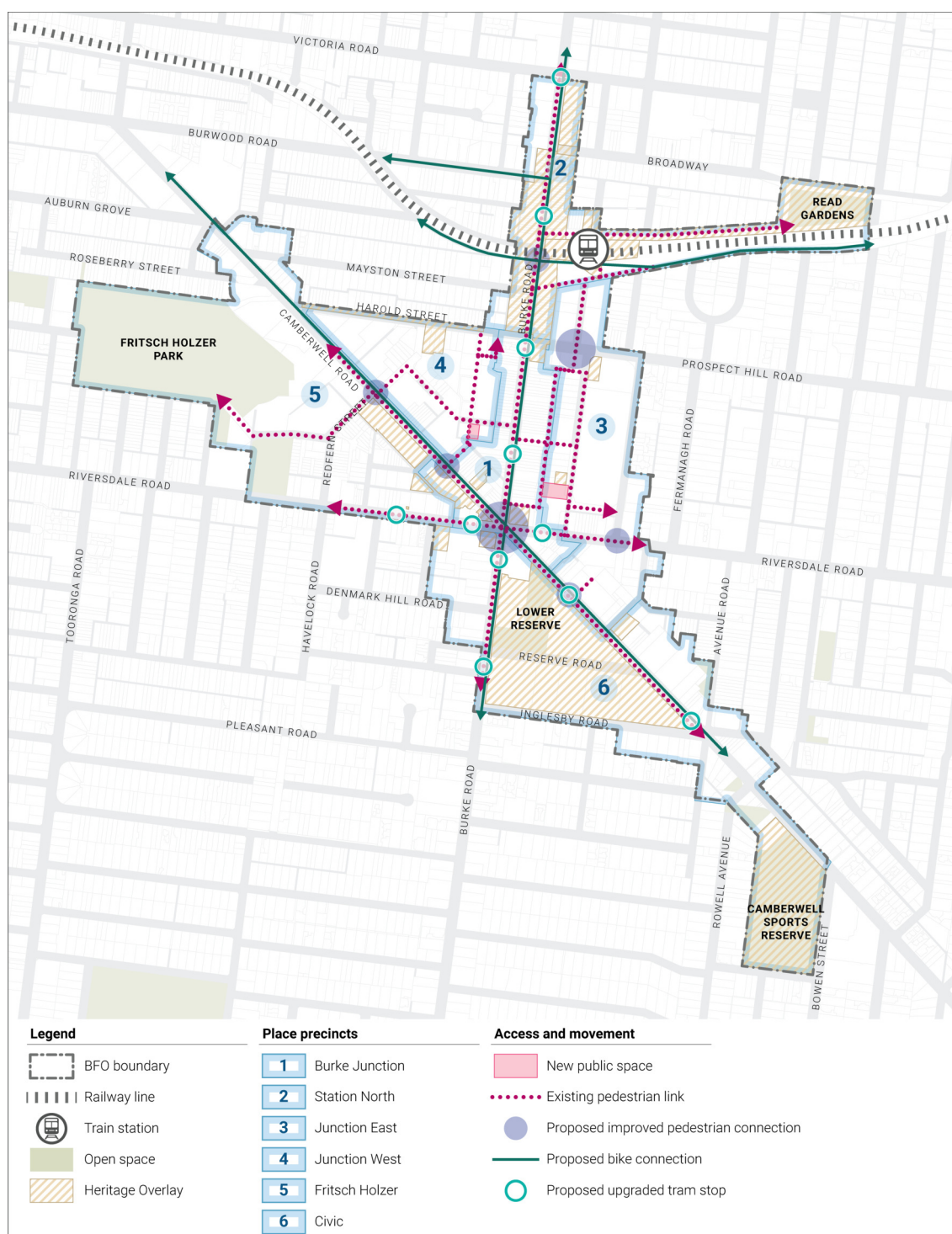
To minimise underdevelopment.

2.0

03/07/2025
GC265

Development framework

Map 1 to Schedule 1 to Clause 43.06: Development framework



The precinct typologies and future character for each part of the land is set out in Table 1.

Table 1: Precinct typology character statements

Building typology	Future character
1. Burke Junction	Burke Junction is the primary retail destination with an active street environment that supports economic activity. New development is generally 6-8 storeys, with a human-scale pedestrian streetscape.

Building typology	Future character
	New development at gateway corner sites, especially at Junction intersection, should visually reinforce the street corner through massing, façade articulation and ground level activation. The precinct will have improved east-west links between Burke Road and the Junction East and Junction West precincts through new and improved linkages on private land.
2. Station North	New developments will respect and appropriately respond to the heritage character of the precinct. The precinct has active primary and secondary frontages and clear glazing at ground floor along Burke Road and other key east-west streets. New developments at sensitive interfaces will incorporate greater setbacks and transitions in building heights to low-rise residential areas. The precinct will have improved connectivity across the rail corridor and with the station.
3. Junction East	Junction East is a vibrant, high-density precinct featuring mixed-use developments, with active street frontages, high-quality public places, and enhanced accessibility for all. The precinct is highly permeable with additional east-west mid-block links and upgraded interface to Station Street and Fairholm Grove. Higher density development of strategic sites provides new mid-block pedestrian connections and improves the existing pedestrian network to surrounding precincts and destinations. New development provides active frontages to public car parks and rear interfaces at the street level on sites with dual frontages to the Station Street carpark, and Riversdale Road and Prospect Hill Road. New public spaces near Camberwell markets provide an inviting plaza for visitors, workers and residents to utilise. New developments consolidate public parking into well managed multi-level parking facilities. Camberwell Fresh Food Market is accessible to vehicles to serve business and cater for drop off areas to customers with reduced mobility.
4. Junction West	Junction West is a thriving urban precinct, accommodating higher density mixed use developments including commercial, retail and residential. Development within the precinct makes a positive contribution to the public realm through planned street connections, footpaths and active frontages. New developments provide an appropriate transition to adjoining residential areas in Harold Street, with built form setbacks and façade articulation to respect the established character of the street. The precinct has a clear north-south pedestrian and vehicle link through new street connecting Camberwell Road and Harold Street, while ensuring an accessible east-west connection between Burke Avenue and Porter Street. Private development provides publicly accessible parking in basement levels.

Building typology	Future character
5. Fritsch Holzer	Fritsch Holzer precinct is a creative precinct with sustainable employment uses, including office development at upper levels of existing premises. Higher density developments are focused along Camberwell Road. New development along Camberwell Road and Riversdale Road incorporates active street frontages. New development abutting Fritsch Holzer Park provides activation at street level and passive surveillance of public space. Land consolidation of sites achieves greater density where unconstrained by sensitive residential interfaces. Land at Rose Street can provide for increased open space, improved public realm configuration, and interface between parkland and surrounding land use.
6. Civic	Civic precinct is the central hub for community services and infrastructure, with expanding commercial activity along Camberwell and Burke Roads supporting future employment-generating uses. New development along Camberwell Road and Burke Road provide active street frontages with office and residential development at upper levels. New development provides transition to adjoining low-rise residential properties through ground and upper-level setbacks. New and improved pedestrian links provide access from Camberwell Road to Reserve Road and Riversdale Road and adjoining public open spaces.

3.0

11/04/2025
GC252

Master plan requirements

Land to which the master plan requirements apply

None specified.

Requirement before a permit is granted

None specified.

Requirements for a master plan

None specified.

4.0

11/04/2025
GC252

Public benefit uplift framework

None specified.

5.0

11/04/2025
GC252

Buildings and works

Permit requirements

None specified.

6.003/07/2025
GC265**Outcomes and standards**

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any standard set out in clauses 54 to 58, unless an application has been made under either clause 53.22 or clause 53.23, which will prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1**Outcomes that do not apply**

The outcome in clause 43.06-7.3 does not apply.

6.2**Standards**

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this schedule are discretionary and are not deemed to comply standards.

6.2-1**Building heights****Standard**

Table 2 specifies whether the maximum height is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 2 to Schedule 1 to Clause 43.06: Building heights

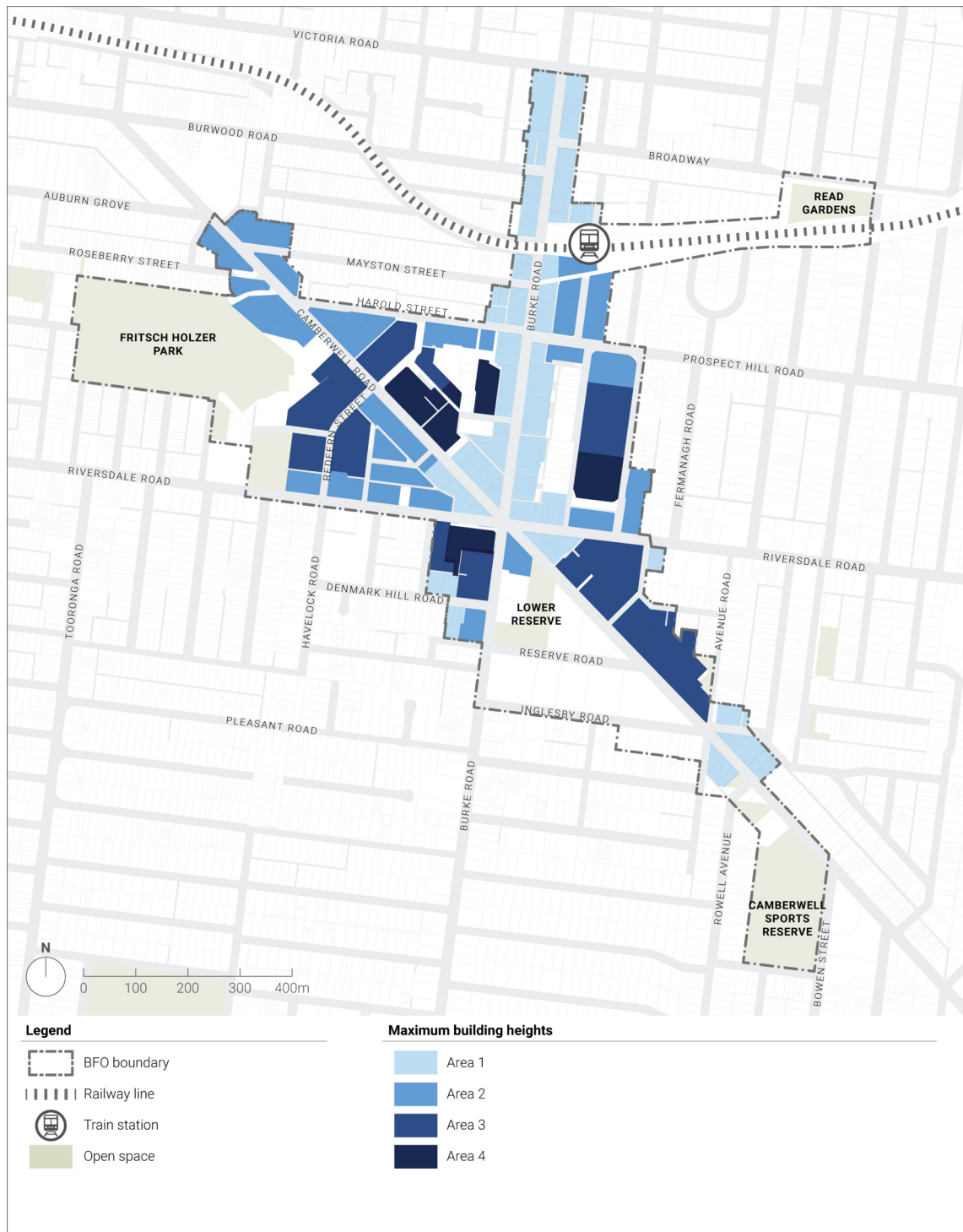


Table 2: Building heights

Building heights area as shown on Map 2	Maximum building height	Mandatory or discretionary	Deemed to comply
Area 1	20m	Discretionary	Yes, if the building height is the maximum or less
Area 2	27m	Discretionary	Yes, if the building height is the maximum or less
Area 3	34m	Discretionary	Yes, if the building height is the maximum or less

Building heights area as shown on Map 2	Maximum building height	Mandatory or discretionary	Deemed to comply
Area 4	40m	Discretionary	Yes, if the building height is the maximum or less

6.2-2**Overshadowing of open space or public realm****Standard**

Existing and proposed public open space and existing and proposed key pedestrian streets are identified in this schedule at Map 3 and at Table 3.

Table 3 specifies whether the overshadowing standard is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 3 to Schedule 1 to Clause 43.06: Overshadowing of open space or public realm



Table 3: Overshadowing of open space or public realm

Overshadowing areas as shown on Map 3	Sun access	Mandatory or discretionary	Deemed to comply
Key pedestrian streets including southern, western and eastern footpaths	Minimise overshadowing of opposite footpaths between 11am and 2pm on 22 September	Discretionary	No
Existing and proposed public open space	Minimise additional overshadowing between 10am and 2pm on 22 September	Discretionary	No

6.2-3

Front setbacks, street wall heights, setbacks above the street wall and landscaped setbacks

Standard

Front Setbacks

Table 4 specifies whether the minimum front setback is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 4 to Schedule 1 to Clause 43.06: Front setbacks

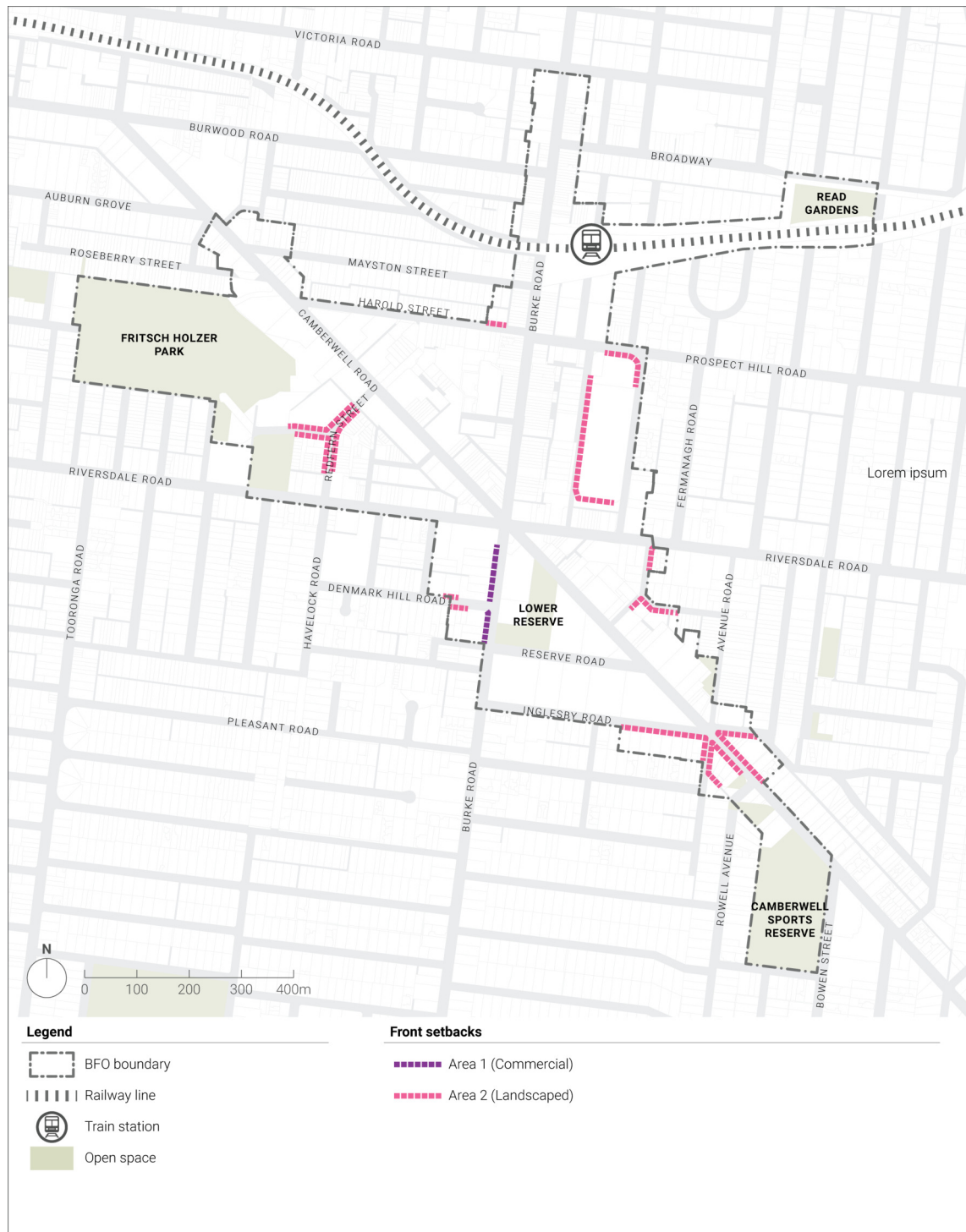


Table 4: Front setbacks

Front setback area as shown on Map 4	Minimum front setback	Mandatory or discretionary	Deemed to comply
Area 1 (Commercial)	3m	Discretionary	Yes, if the front setback is the minimum or more
Area 2 (Landscaped)	3m	Discretionary	Yes, if the front setback is the minimum or more

Street wall heights

Front setbacks above the street wall or podium height should incorporate maximum of two setbacks to avoid a tiered built form.

Table 5 specifies whether the maximum street wall height is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 5 to Schedule 1 to Clause 43.06: Street wall height

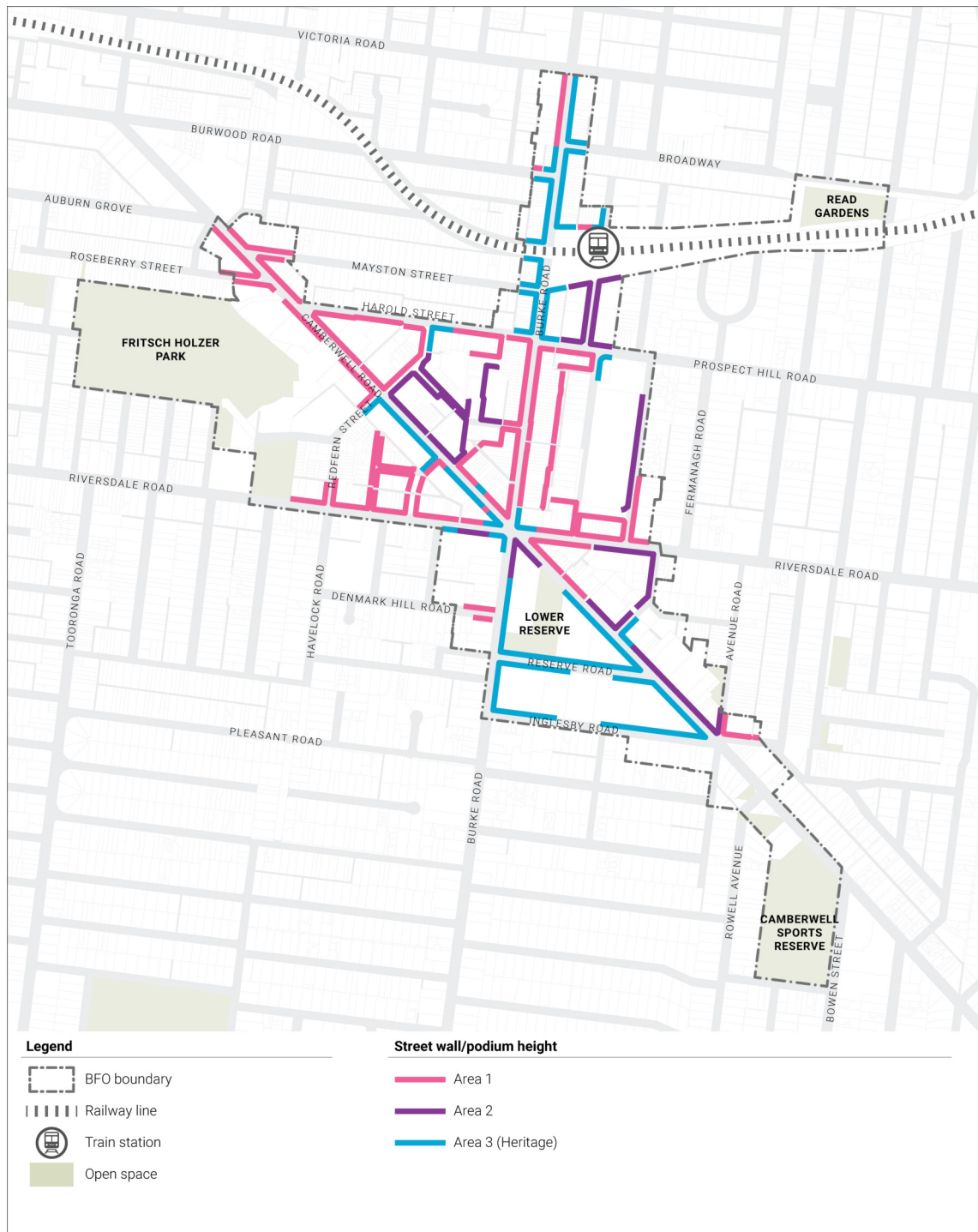


Table 5: Street wall heights

Street wall area as shown on Map 5	Maximum street wall	Mandatory or discretionary	Deemed to comply
Area 1	8m	Discretionary	Yes, if the maximum height or below
Area 2	11m	Discretionary	Yes, if the maximum height or below
Area 3 (Heritage)	Existing street wall height	Discretionary	No

Setback above the street wall

Table 6 specifies whether the setback above street wall is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 6: Setback above street wall

Setback above street wall area as shown on Map 5	Minimum setback to front boundary	Mandatory or discretionary	Deemed to comply
Area 1	5m	Discretionary	Yes, if the minimum setback or more
Area 2	5m	Discretionary	Yes, if the minimum setback or more
Area 3 (Heritage)	8m behind the retained heritage street wall and primary heritage building volume	Discretionary	No

Landscaped setbacks

Table 7 specifies whether the minimum landscaped setback as shown on Map 4 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 7: Landscaped setbacks

Setback as shown on Map 4	Mandatory or discretionary	Deemed to comply
Area 2 (Landscaped)	Discretionary	No

6.2-4

Side and rear setbacks

Standard

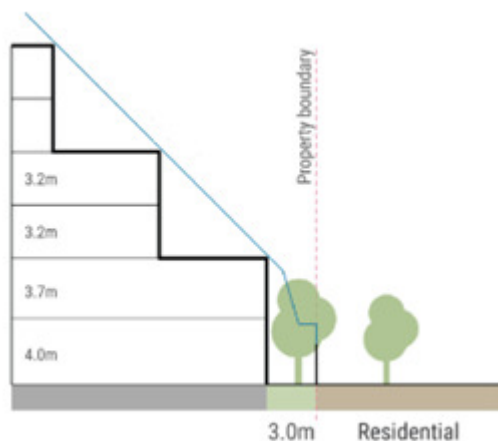
The standards for side and rear setbacks are discretionary and not deemed to comply.

Map 6 to Schedule 1 to Clause 43.06: Setback to sensitive interfaces

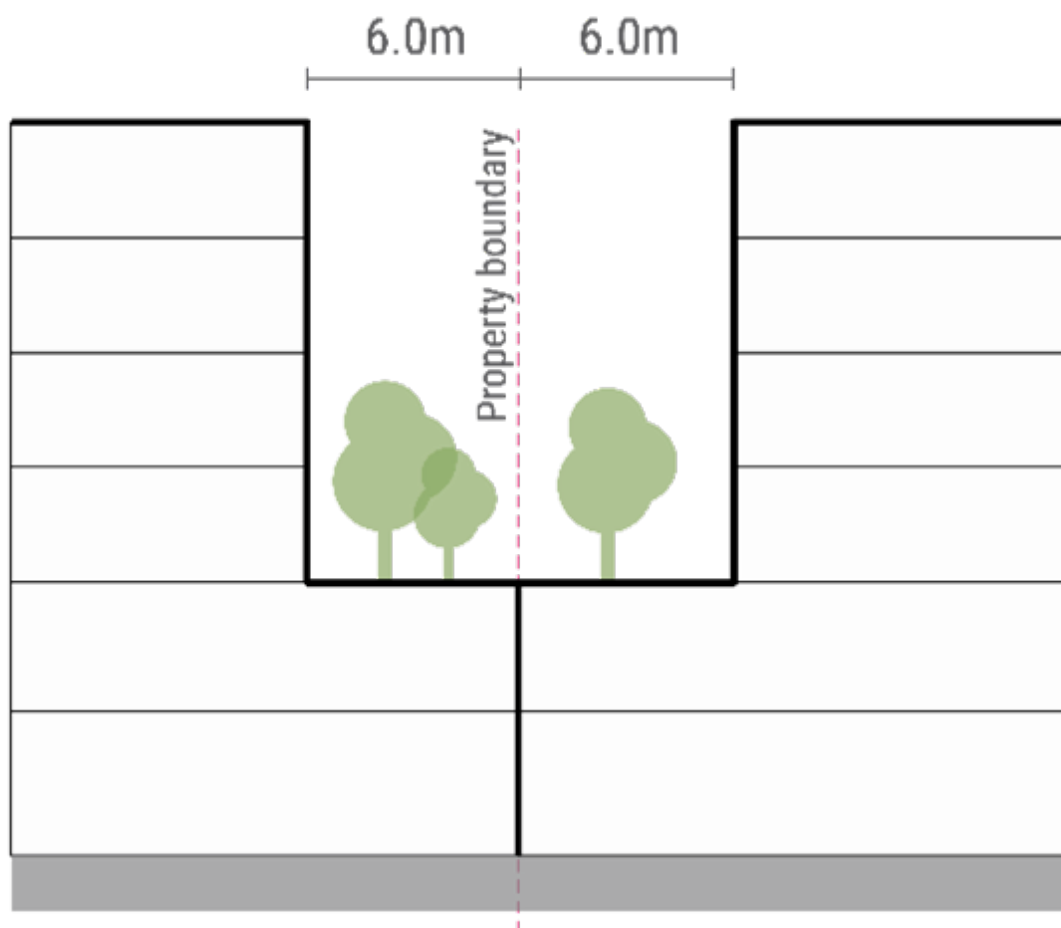


Development adjacent to 'Residential interface' as shown on Map 6 should incorporate the following setbacks (as shown in Diagram 1):

- A 3-metre ground level setback from the property boundary up to 8 metres in building height.
- Setbacks in accordance with Clause 55.02-3 Standard B2-3 for built form above 8 metres.
- Built form above 8 metres should incorporate a maximum of two setbacks to avoid an overly tiered built form.

Diagram 1: Residential interface

Where a wall constructed on or within 200mm of a boundary is proposed, development above the boundary wall should provide a minimum of 6 metres setback from the property boundary (as shown in Diagram 2).

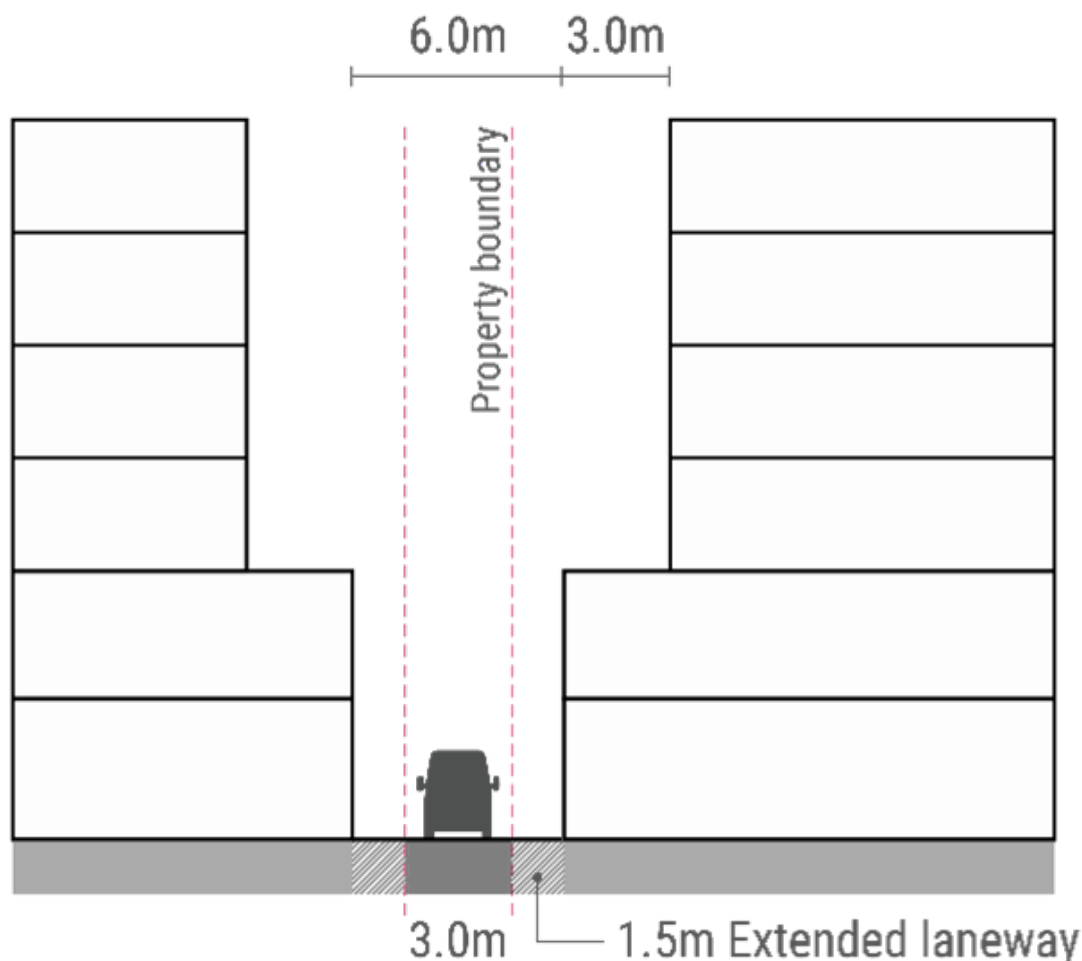
Diagram 2: Building separation

Development adjacent to a 'widened laneway' interface as shown on Map 6 should incorporate the following setbacks (as shown in Diagram 3):

- 1.5 metre ground level setback from adjacent property boundaries to achieve a 6 metre wide laneway.

- For parts of the building above 11m, an additional 3 metre setback.
- If laneway widening can only be achieved on one side of the laneway, a 3 metre ground level setback from property boundary should be provided.

Diagram 3: Widened laneway



6.2-5 Building layout and adaptability

Standard

The width of residential development above the street wall height should be no greater than 30 metres.

Table 8 specifies whether the minimum floor to floor height is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 8: Floor to floor height standards

Floor type	Minimum floor to floor height (metres)	Mandatory or discretionary or	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes, if the minimum height or more
Commercial Upper	4m	Discretionary	Yes, if the minimum height or more

Floor type	Minimum floor to floor height (metres)	Mandatory or discretionary or	Deemed to comply
Residential (all)	3.2m	Discretionary	Yes, if the minimum height or more

6.2-6**Active frontages****Standard**

Table 9 specifies whether the minimum entry or window percentage is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 7 to Schedule 1 to Clause 43.06: Active frontages

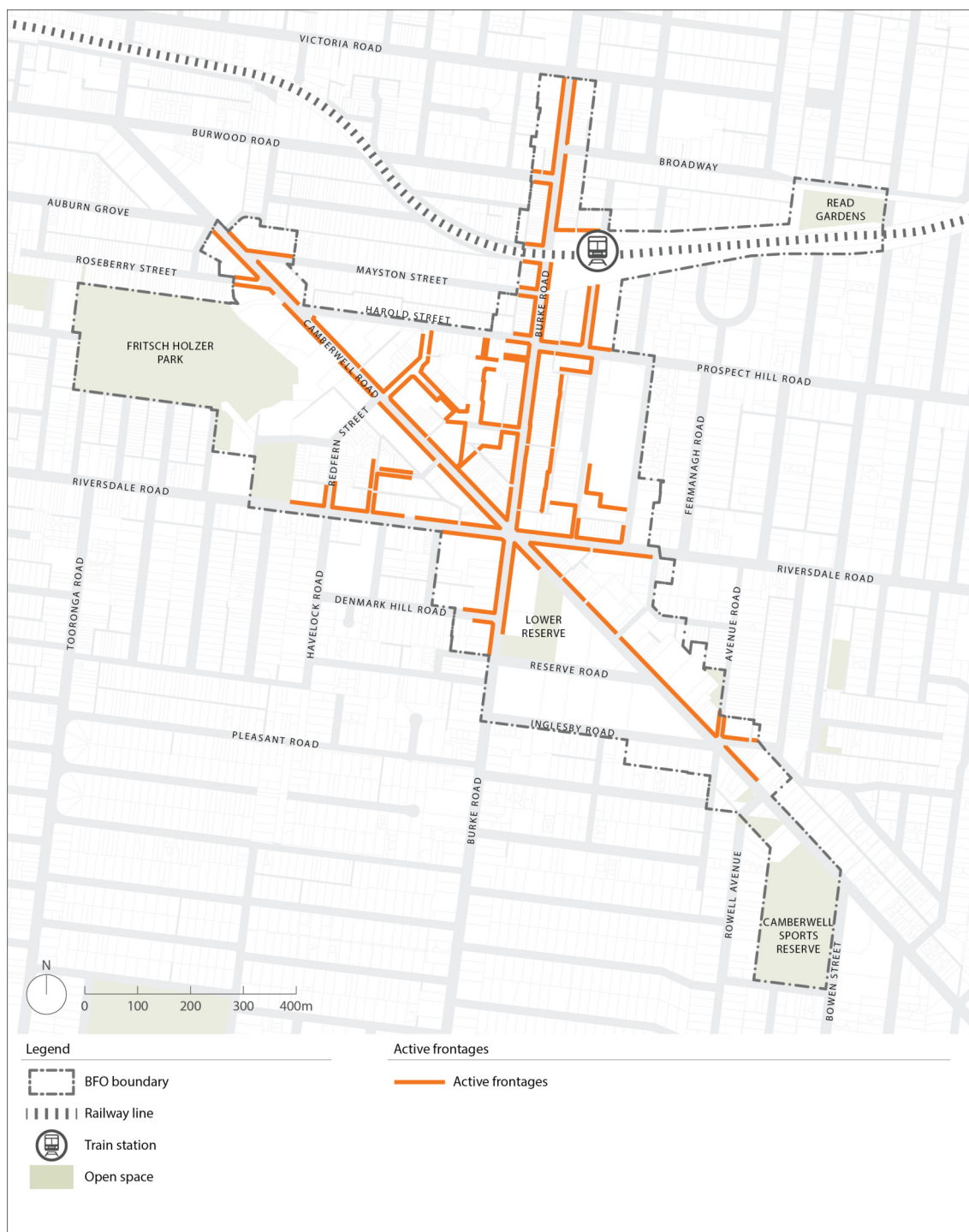


Table 9: Minimum entry or window percentage

Frontage type as shown on Map 7	Entry or window measurement	Mandatory or discretionary	Deemed to comply
Active frontages	At least 80% clear glazing along the ground level frontage to a height of 2.5m.	Discretionary	No

6.2-7

Pedestrian connections

Standard

Specific and indicative pedestrian links are identified at Map 8.

Map 8 to Schedule 1 to Clause 43.06: Pedestrian connections



6.2-8

Landscaping and fencing

Standard

Buildings and works should:

- Balance the provision of native and indigenous plants with exotic climate resilient plants that provide resources for biodiversity.

- Encourage vertical and roof top greening to contribute to biodiversity outcomes and to combat urban heat island effects.
- Support green facades, rooftop, podium or terrace planting that is located and designed to be sustainable, viable and resilient and appropriate to micro-climate conditions.
- Support opportunities for productive landscaping or use as community gardens.
- Support innovative approaches to flood mitigation and stormwater runoff, and best practice water sensitive urban design.

6.2-9 Carparking design**Standard**

Buildings and works should consolidate car parking in car parking structures or basement parking to focus on maintaining active land uses at street level or for open space.

6.2-10 Exterior design**Standard**

The design and appearance of building should provide external lighting that enhances the architectural features of the building and complements lighting in the public domain without causing unreasonable off-site amenity impacts.

New development should maintain the visual prominence and view lines to significant heritage places, being:

- Pepperell's Building (HO499)
- Charing Cross Buildings (HO498)
- Simpson's Buildings (HO500)
- Baptist Church (HO502)
- Conference Hall (Open Brethren) (HO714)
- Masonic Centre (HO539)
- Camberwell Sports Ground (HO516)
- Camberwell Railway Station (HO263)
- Rivoli Theatre (HO482)
- Former ES&A Bank (HO18) (VHR HO534)
- Camberwell Court House and Police Station (HO28) (VHR H1194)
- Camberwell Tram Substation (HO622)
- Camberwell Melbourne & Metropolitan Tram Board (MMTB) Depot (HO497)
- Dillion's Building (HO503)
- Tram Shelter (HO861)

6.3 Other outcomes and standards**6.3-1 Front wall height and front upper level setbacks for buildings with a front setback****Outcome**

Buildings contribute positively to the streetscape, maintain a human scale and do not overwhelm the public realm.

Standard BF16

Front wall heights and building setbacks above the front wall height are set out in Table 10.

Setbacks above the front wall should incorporate maximum of two setbacks to avoid an overly tiered built form.

Table 10 specifies whether the maximum front wall height and minimum setback above the front wall height is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 9 to Schedule 1 to Clause 43.06: Front wall heights

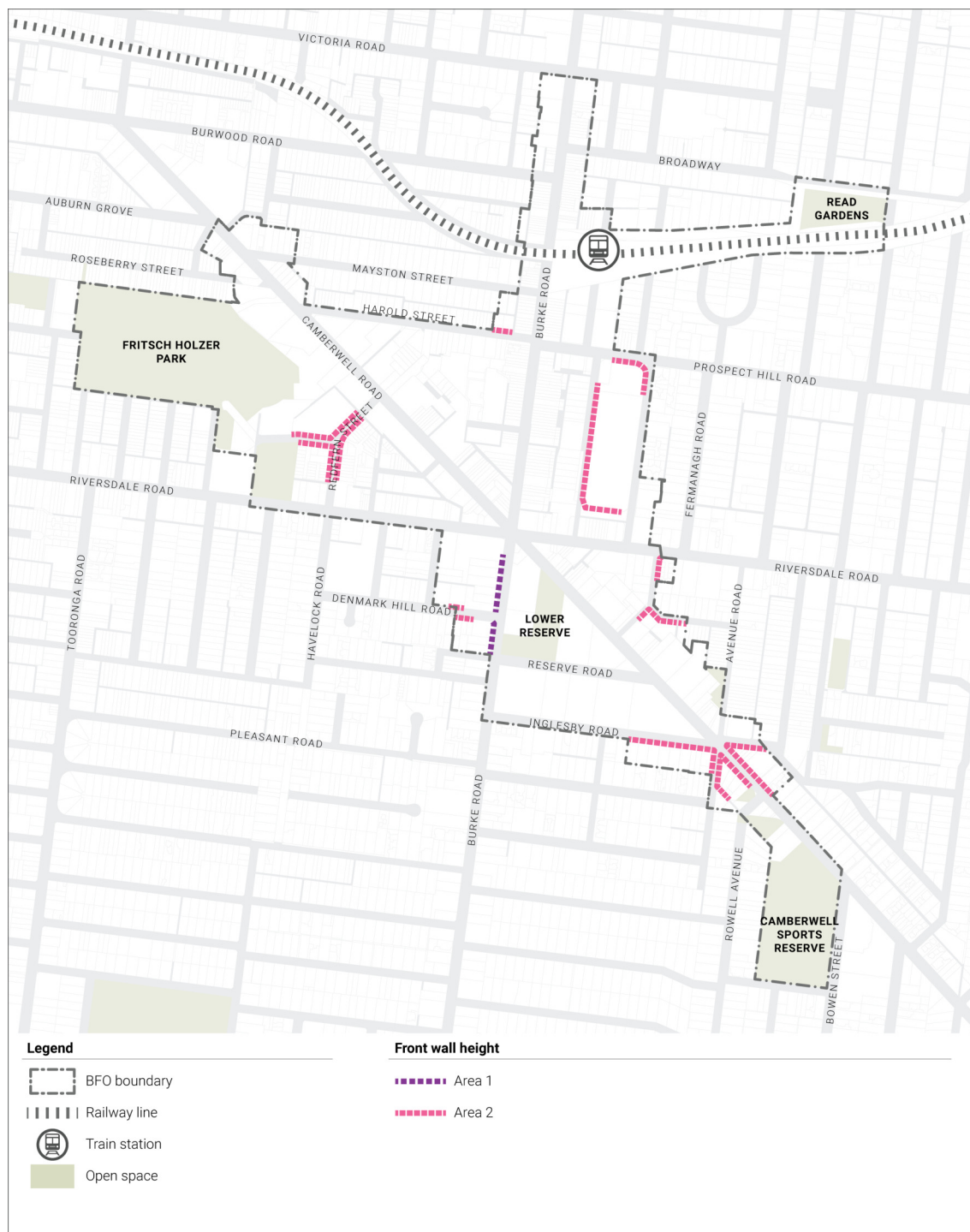


Table 10: Front wall heights for buildings with a front setback

Front wall height area as shown on Map 9	Maximum front wall height	Minimum setback above the front wall height	Mandatory or discretionary	Deemed to comply
Area 1	27.5m	5m	Discretionary	Yes, if the front wall height is the maximum or less and if the setback is the minimum or more
Area 2	8m	2m	Discretionary	Yes, if the front wall height is the maximum or less and if the setback is the minimum or more

7.011/04/2025
GC252**Subdivision****Permit requirements**

None specified.

Subdivision requirements

None specified.

Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

8.011/04/2025
GC252**Application requirements**

The following application requirements apply to an application for a permit under Clause 43.06 in addition to those specified in Clause 43.06-9 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An Environmental Sustainability Design Statement, which demonstrates how ecologically sustainable design and Water Sensitive Urban Design principles have been incorporated into the development.

9.011/04/2025
GC252**Notice and review**

None specified.

10.011/04/2025
GC252**Decision guidelines**

None specified.

11.011/04/2025
GC252**Mandatory permit conditions**

None specified.

12.011/04/2025
GC252**Signs**

None specified.

13.011/04/2025
GC252**Transitional provisions**

The requirements of clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC252 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC252;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC252; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC252.

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC252, continue to apply to applications which this transitional provision applies:

- Schedule 17 to clause 43.02
- Clause 11.03-1L

LAND MANAGEMENT OVERLAYS

44.04

06/09/2021
VC171

LAND SUBJECT TO INUNDATION OVERLAY

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

24/01/2020
VC160

Land subject to inundation objectives and statement of risk

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

44.04-2

14/12/2023
VC253

Buildings and works

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 or a small second 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 or a small second dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.

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

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

44.04-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

44.04-5

31/07/2018
VC148

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.

44.04-6

31/07/2018
VC148

Exemption from notice and review

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

31/07/2018
VC148

Referral of applications

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

06/09/2021
VC171

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 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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

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

1.0

28/07/2022
C313boro

Land subject to inundation objectives to be achieved

None specified.

2.0

28/07/2022
C313boro

Statement of risk

None specified.

3.0

28/07/2022
C313boro

Permit requirement

None specified.

4.0

28/07/2022
C313boro

Application requirements

None specified.

5.0

28/07/2022
C313boro

Decision guidelines

None specified.

44.05

01/07/2021
VC203

SPECIAL BUILDING OVERLAY

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

31/07/2018
VC148

Flooding management objectives and statement of risk

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

44.05-2

14/12/2023
VC253

Buildings and works

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 or small second 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 or small second dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.

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:

BOROONDARA PLANNING SCHEME

- 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

44.05-331/07/2018
VC148**Subdivision**

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

44.05-431/07/2018
VC148**Application requirements**

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

31/07/2018
VC148

Exemption from notice and review

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

31/07/2018
VC148

Referral of applications

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

31/07/2018
VC148

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 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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

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

1.0

28/07/2022
C313boro

Flooding management objectives to be achieved

None specified.

2.0

28/07/2022
C313boro

Statement of risk

None specified.

3.0

28/07/2022
C313boro

Permit requirement

None specified.

4.0

28/07/2022
C313boro

Application requirements

None specified.

5.0

28/07/2022
C313boro

Decision guidelines

None specified.

45

19/01/2006
VC37

OTHER OVERLAYS

45.01

31/07/2018
VC148

PUBLIC ACQUISITION OVERLAY

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

14/12/2023
VC253

Permit required

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 or a small second 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 or a small second 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

31/07/2018
VC148

Exemption from notice and review

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

28/10/2013
VC102

Referral of applications

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

45.01-4

31/07/2018
VC148

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 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 of 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

19/01/2006
VC37

Land not to be spoiled or wasted

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

19/01/2006
VC37

Reservation for public purpose

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

28/10/2013
VC102

Acquiring authority

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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY**1.0**

14/04/2023
GC204

Public acquisition

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	Boroondara City Council	Public open space
PAO2	The Minister responsible for administering Part of the <i>Crown Land (Reserves) Act 1978</i>	Lower Yarra Parklands
PAO3	Roads Corporation	Road
PAO4	Roads Corporation	Road widening
PAO5	Roads Corporation	Road widening

45.03

01/07/2021
VC203

ENVIRONMENTAL AUDIT OVERLAY

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

04/05/2022
VC210

Requirement

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.

45.07

31/07/2018
VC148

CITY LINK PROJECT OVERLAY

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

Purpose

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

To ensure the efficient construction, operation and maintenance of the Melbourne City Link Project, the Exhibition Street Extension Project and CityLink Tulla Widening Project.

To ensure that the display of a Business identification sign on land no longer required for the Melbourne City Link Project or the Exhibition Street Extension Project is limited to a level that does not compete with the display of signs shown on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

45.07-1

07/05/2015
VC122

Use and development

A permit is not required to use or develop land in the:

- City Link Project area if the use or development is part of the Melbourne City Link Project or the Exhibition Street Extension Project.
- CityLink Tulla Widening Project Area if the use or development is part of, or associated with, the CityLink Tulla Widening Project.

45.07-2

07/05/2015
VC122

Outdoor advertising signs - permit not required

A permit is not required to display an outdoor advertising sign if the sign is in a location or area identified on the plan titled "Melbourne City Link Project - Advertising Locations November 2003".

Except in locations shown on the plan where signs are prohibited, additional outdoor advertising signs may be displayed without a permit for a period not exceeding four years from the date of approval (or other such period approved by the Minister) provided that a plan of the sign showing its location and dimensions is approved by the Minister.

In deciding whether or not to approve a plan the Minister must consider:

- The visual impact of the sign on the road and the surrounding area.
- The effect of the sign on the safe and efficient operation of the road.
- Any government policy or agreement relating to the Melbourne City Link Project.

45.07-3

19/01/2006
VC37

Business identification signs - permit required

In locations shown as "prohibited area for advertising signs" on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003", a permit may be granted to display a Business identification sign provided:

- The land is no longer under the control of the Melbourne City Link Project or the Exhibition Street Extension Project.
- The sign is not prohibited by the advertising requirements of the zone and Clause 52.05 - Advertising Signs.

Written advice from the relevant Government agency that the land is no longer part of the Melbourne City Link Project or the Exhibition Street Extension Project is sufficient evidence of the status of the land pursuant to this clause.

In deciding whether or not to grant a permit for a Business identification sign the responsible authority must consider in addition to the decision guidelines under Clause 52.05:

- Whether the Business identification sign detracts from the visual prominence of signs identified on the plan titled "Melbourne City Link Project - Advertising Sign Locations November 2003".

45.07-4

19/01/2006
VC37

Control building

A permit is not required to use and develop the Link Control Site under the *Melbourne City Link Act 1995*, for buildings housing link control rooms and ancillary activities, provided the building does not exceed 3 storeys in height and is generally in accordance with plans, Ref Nos: A-SBI-AR-404 A, SK-SBI-4087 A to SK-SBI-4090 A (inclusive), SBI-AR-4001 Revision C, SBI-AR-4002 Revision C, SBI-AR-4030 Revision B, SBI-LS-4102 Revision C, and SBI-CI-4701 Revision A.

A permit is required to use and develop the Link Control Site under the *Melbourne City Link Act 1995* if the building to house the link control rooms and ancillary activities for the City Link Project exceeds 3 storeys in height or is not generally in accordance with the plans.

45.07-5

07/05/2015
VC122

Other scheme requirements

No other requirement of the scheme applies to a use or development of land in the:

- City Link Project area if the use or development is for the purpose of the Melbourne City Link Project or the Exhibition Street Extension Project.
- CityLink Tulla Widening Project Area if the use or development is for the purpose of part of, or associated with, the CityLink Tulla Widening Project.

This provision prevails over any inconsistent provision in this scheme.

45.07-6

14/05/2021
VC198

Referral of applications

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

45.07-7

07/05/2015
VC122

Definitions

In this clause:

Melbourne City Link Project has the same meaning as in the *Melbourne City Link Act 1995*.

Exhibition Street Extension Project has the same meaning as in the *Melbourne City Link Act 1995*.

CityLink Tulla Widening Project means use and development for and associated with widening and upgrading the Tullamarine Freeway, Melbourne City Link Project and West Gate Freeway corridor within the CityLink Tulla Widening Project Area.

CityLink Tulla Widening Project Area is the area of land affected by this overlay between:

- The northern extremity of the overlay near the Tulla Calder Interchange; and
- The western portals of the Burnley and Domain tunnels.

45.09

31/07/2018
VC148

PARKING OVERLAY

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

Purpose

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

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

45.09-1

19/04/2013
VC95

Operation

This overlay operates in conjunction with Clause 52.06.

A schedule to this overlay may:

- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

45.09-2

19/04/2013
VC95

Parking objectives

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

45.09-3

25/05/2017
VC133

Permit requirement

A schedule to this overlay may specify that:

- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

45.09-4

19/04/2013
VC95

Number of car parking spaces required

A schedule to this overlay may:

- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

45.09-5

25/05/2017
VC133

Application requirements and decision guidelines for permit applications

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:

- The parking objectives of the relevant schedule to this overlay.
- Any application requirements and decision guidelines specified in a schedule to this overlay.

45.09-6

19/04/2013
VC95

Financial contribution requirement

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

45.09-7

25/05/2017
VC133

Requirements for a car parking plan

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

45.09-8

25/05/2017
VC133

Design standards for car parking

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

45.09-9

25/05/2017
VC133

Decision guidelines for car parking plans

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.

28/07/2022
C313boro**SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY**Shown on the planning scheme map as **PO1**.**ACTIVITY CENTRES****1.0**28/07/2022
C313boro**Parking objectives to be achieved**

To identify appropriate car parking rates for land uses in various activity centres throughout the municipality.

2.028/07/2022
C313boro**Permit requirement**

None specified.

3.028/07/2022
C313boro**Number of car parking spaces required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Dwelling	1	To each one or two bedroom dwelling, plus
	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom), plus
	1	For visitors to every 5 dwellings for developments of 5 or more dwellings
Office	3.5	To each 100 sq m of net floor area

For all other uses listed in Table 1 of Clause 52.06-5, the *Rate* in Column B of Table 1 in Clause 52.06-5 applies.

4.028/07/2022
C313boro**Application requirements and decision guidelines for permit applications**

None specified.

5.028/07/2022
C313boro**Financial contribution requirement**

None specified.

6.028/07/2022
C313boro**Requirements for a car parking plan**

None specified.

7.028/07/2022
C313boro**Design standards for car parking**

None specified.

8.028/07/2022
C313boro**Decision guidelines for car parking plans**

None specified.

9.0

28/07/2022
C313boro

Background document

None specified.

45.12

04/05/2022
VC210

SPECIFIC CONTROLS OVERLAY

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

31/07/2018
VC148

Use or development

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

31/07/2018
VC148

Expiry of a specific control

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.

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY**1.0****Specific controls**

PS Map Ref	Name of incorporated document
SCO1	Toorak Road, Kooyong Level Crossing Removal Project, Incorporated Document, May 2019
SCO2	Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 240 Camberwell Road, Camberwell, October 1999
SCO3	Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 308 High Street, Kew, June 2015
SCO4	Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 1 Whitehorse Road, Deepdene, June 2015
SCO5	Markham Housing Estate Incorporated Document, May 2020
SCO6	Flying Fox Campsite, Yarra Bend Park, December 2004
SCO7	Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, Nos. 217 - 219 Cotham Road, Kew, March 2012
SCO8	Site Specific Control Under Schedule to Clause 52.03 of the Boroondara Planning Scheme, 347 and 347A Riversdale Rd, Hawthorn East, April 2012
SCO11	Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 83 Charles Street, Kew, October 1999
SCO12	North East Link Project Incorporated Document, December 2019 (amended September 2023)

PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.

PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA

51.0131/07/2018
VC148**SPECIFIC SITES AND EXCLUSIONS****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.

51.01-131/07/2018
VC148**Use or development**

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.

51.01-231/07/2018
VC148**Expiry of a specific control**

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

31/07/2018
VC148

1.0

06/02/2020
C312boro

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

Specific site and exclusions

Address of land	Title of incorporated document
20 Delany Close, Canterbury	Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 20 Delany Close, Canterbury, October 1999
29, 31 and 33 Allambee Avenue, Camberwell (rear 22.3 metres)	Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 29, 31, 33 Allambee Avenue, Camberwell, October 1999
Land between Yarraville and Doveton adjacent to and encompassing the West Gate Freeway, the City Link Southern Link and Western Link south of the Bolte Bridge, the Monash Freeway and the South Gippsland Freeway, insofar as the land is in the City of Boroondara	M1 Redevelopment Project, October 2006
27 Willow Grove, Kew East (Willsmere Park)	Willsmere Park Shared Path Project, June 2013
The Chandler Highway Upgrade land as shown on the project area map and identified in the Incorporated Document	Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)
The Monash Freeway Upgrade Project as shown on the project area maps and identified in the incorporated document.	Monash Freeway Upgrade Project Incorporated Document, March 2016

51.0614/04/2025
VC281**BIRRARUNG (YARRA RIVER) PROTECTION****Purpose**

To ensure responsible public entities have regard to the principles specified in the Yarra River Protection (Wilip-gin Birrarung murrong) Act 2017 (Birrarung Act).

Applications

This clause applies to Yarra River Land identified in Part 3 of the Birrarung Act and other land where the use or development of the land may affect Yarra River Land.

Requirements

A responsible authority must have regard to the principles in Part 2 of the Birrarung Act when deciding on an application or approval of a plan.

Note:

Pursuant to section 1(d) of the Birrarung Act, responsible public entities, as defined in the Birrarung Act, must have regard to the principles in Part 2 of the Birrarung Act when performing functions or duties or exercising powers in relation to Yarra River Land or other land, the use or development of which may affect Yarra River Land, and other matters.

PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

52.0105/11/2020
VC191**COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS****Purpose**

To facilitate the rectification of combustible cladding on buildings.

52.01-105/11/2020
VC191**Permit exemption**

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.

52.01-205/11/2020
VC191**Exemption from notice and review**

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.

52.0220/09/2010
VC71**EASEMENTS, RESTRICTIONS AND RESERVES****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.

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES**1.0**10/12/2015
C209**Under Section 23 of the Subdivision Act 1988**

Land	Easement or restriction	Requirement
3 John Street, Kew, described as Lot 6 on Plan of Subdivision No. 23640 being the whole of the land in Certificate of Title Volume 8073 Folio 254.	Restrictive covenant contained in Instrument of Transfer No 2701859	Variation of the covenant by substituting the words "...that we will not at any time hereafter erect construct or build or cause to be erected constructed or built on the said lot any building other than a private dwelling and that such dwelling shall not be more than one story in height" with "...that we will not at any time hereafter erect construct or build or cause to be erected constructed or built on the said lot any building other than a private dwelling and that such dwelling shall not be more than two storeys in height..."
217 Cotham Road, Kew described as Lot 4 on Plan of Subdivision 005505 being the whole of the land in Certificate of Title Volume 4192 Folio 298	The deed of covenant K89664; and	Vary the covenant by adding the words : "...or museum."
	Restrictive covenant contained in Instrument of Transfer No 881422.	Vary the covenant by adding the words: "... or museum."
219 Cotham Road, Kew described as Lot 3 on Plan of Subdivision 005505 being the whole of the land in Certificate of Title Volume 3797 Folio 386	Restrictive covenant contained in Instrument of Transfer No 747599.	Vary the covenant by adding the words : "...or museum."
252 Doncaster Road, Balwyn North described as Lot 291 on Plan of Subdivision 7870 described in Certificate of Title Vol 08045 and Fol 225 and 250 Doncaster Road, Balwyn North described as Lot 290 on Plan of Subdivision 7870 described in Certificate of Title Vol 05408 and Fol 449	Restrictive covenant contained in Transfer No 1362611 that affects the whole of the land in Certificate of Title Vol 08045 and Fol 225; and Restrictive covenant contained in Transfer No. 1361308 that affects the whole of the land in Certificate of Title Vol 05408 and Fol 449	Vary as follows: For: "one dwelling house valued without outbuildings at not less than Five hundred pounds" Substitute: "one dwelling house valued without outbuildings at not less than Five hundred pounds or a medical centre."
Land known as 5 Rossfield Avenue, Kew (described as Lot 2 on Plan of Subdivision 008572, now part of 231 Barkers Road,	Restrictive covenant contained in Instrument of Transfer Nos. 1315871 and 1323822.	Variation of the covenant by substituting the words:

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Land	Easement or restriction	Requirement
Kew) and 7 Rossfield Avenue, Kew (described as Lot 1 on Title Plan 097826N)		“...will not erect any buildings... other than one dwelling house only with such out-buildings... as are customarily used in connection with a dwelling house and ALSO ...” with “...will not use the land for any use other than a single dwelling use OR an integrated education centre and childcare centre use, with such uses only occurring within a detached building that has the appearance of a single dwelling together with out-buildings as are customarily used in connection with a dwelling and ALSO ...”

2.0

19/01/2006
VC37

Under Section 24A of the Subdivision Act 1988

Land	Person	Action
None specified		

3.0

19/01/2006
VC37

Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
None specified		

52.0331/01/2020
VC170**LEVEL CROSSING REMOVAL PROJECT****Purpose**

To facilitate the Level Crossing Removal Project.

52.03-131/01/2020
VC170**Application**

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.

52.03-231/01/2020
VC170**Exemption from planning scheme requirements**

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.

52.03-320/01/2022
VC205**Use and development requirements**

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.

52.03-431/01/2020
VC170**Consultation requirement**

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.

52.03-531/01/2020
VC170**Project boundary requirement**

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.

52.03-604/05/2022
VC210**Other pre-commencement requirements**

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.

52.03-720/03/2023
VC229**Native vegetation requirements**

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

31/01/2020
VC170

Preparatory use and development

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.

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- 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

14/12/2023
VC253

TRANSITIONAL PROVISIONS FOR A DEPENDENT PERSONS UNIT

52.04-1

28/03/2024
VC259

Purpose

To provide transitional provisions for the use or development of land for a dependent person's unit.

52.04-2

28/03/2024
VC259

Application

This clause applies to the use and development of land for a dependent person's unit.

For the purposes of clause 52.04 and any reference to a dependent person's unit in this planning scheme, a dependent person's unit means:

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.

52.04-3

28/03/2024
VC259

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit for the use of land or the construction or carrying out of buildings and works, or any provision of this planning scheme that prohibits the use of land or the construction or carrying out of buildings and works, requires the use of land or the construction or carrying out of buildings and works 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 dependent person's unit, if the requirements of clause 52.04 are met.

The requirements of clause 52.04 are met if any of the following apply:

- No permit is required under this clause, and any requirement or condition of this clause is met.
- A permit is required under this clause, and a permit has been issued.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.04-4

03/03/2025
VC266

Operation of use of land requirements

The following requirements apply to the use of land for a dependent person's unit, as specified in clause 52.04-5.

Table 1 zones

The use of land for a dependent person's unit in a zone listed in Table 1 does not require a permit. Any condition opposite the zone listed in Table 1 must be met. If the condition is not met, the use of land for a dependent person's unit requires a permit under this clause unless the zone is specifically included in Table 3 as a zone that does not meet the Table 1 condition.

Table 2 zones

The use of land for a dependent person's unit in a zone listed in Table 2 requires a permit under this clause. Any condition opposite the zone must be met. If the condition is not met, the use of land for a dependent person's unit is prohibited.

Table 3 zones

The use of land for a dependent person's unit in a zone listed in Table 3 is prohibited.

52.04-525/02/2025
VC257**Use of land requirements****Table 1 - Permit not required**

Zone	Condition
Low Density Residential Zone	Must be the only dependent person's unit on the lot.
Township Zone	Must meet the requirements of clause 52.04-7.
Mixed Use Zone	Must be the only dependent person's unit on the lot.
Residential Growth Zone	
General Residential Zone	
Neighbourhood Residential Zone	
Housing Choice and Transport Zone	
Rural Living Zone	Must be the only dependent person's unit on the lot.
Rural Activity Zone	Must meet the requirements of clause 52.04-8. 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 <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Farming Zone	Must be the only dependent person's unit on the lot. Must meet the requirements of clause 52.04-8. 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 <i>Environment Effects Act 1978</i>. 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 <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Commercial 1 Zone	Any frontage at ground floor level must not exceed 2 metres
Public Use Zone	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.
Public Park and Recreation Zone	Must be either of the following:

Zone	Condition
	- 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 <i>Local Government Act 2020</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forest Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Safety Act 2010</i>, the <i>Port Management Act 1995</i>, or the <i>Crown Land (Reserves) Act 1978</i>. - A use specified in an Incorporated plan in a schedule to clause 36.02.
Public Conservation and Resource Zone	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 <i>Local Government Act 2020</i> , the <i>Reference Areas Act 1978</i> , the <i>National Parks Act 1975</i> , the <i>Fisheries Act 1995</i> , the <i>Wildlife Act 1975</i> , the <i>Forests Act 1958</i> , the <i>Water Industry Act 1994</i> , the <i>Water Act 1989</i> , the <i>Marine Safety Act 2010</i> , the <i>Port Management Act 1995</i> or the <i>Crown Land (Reserves) Act 1978</i> .
Urban Growth Zone	Must be the only dependent person's unit on the lot. Must meet the requirements of clause 52.04-8.

Table 2 - Permit required

Zone	Condition
Low Density Residential Zone	Must meet the requirements of clause 52.04-7.
Township Zone	
Green Wedge Zone	Must be the only dependent person's unit on the lot.
Green Wedge A Zone	Must meet the requirements of clause 52.04-8.
Rural Conservation Zone	
Rural Living Zone	Must meet the requirements of clause 52.04-8.
Farming Zone	
Rural Activity Zone	
Transport Zone	The use must be for a transport purpose and carried out by or on behalf of a relevant transport manager.
Urban Growth Zone	Must meet the requirements of clause 52.04-8.

Table 3 - Prohibited

Zone
Industrial 1 Zone
Industrial 2 Zone
Industrial 3 Zone
Commercial 2 Zone
Commercial 3 Zone
Port Zone
Public Conservation and Resource Zone – If the table 1 condition is not met
Urban Floodway Zone

52.04-628/02/2025
VC274**Use of land requirements in a specified special purpose zone**

If land is in a Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct Zone, the permit requirement in that zone for use of land applies as specified in the schedule to the zone.

If dependent person's unit is not specified in a schedule to the zone, the use of land for a dependent person's unit is subject to the use of land requirements for 'Accommodation'.

52.04-728/03/2024
VC259**Use of land requirements in a Low Density Residential Zone and a Township Zone**

A lot used for a dependent person's unit in a Low Density Residential Zone and a Township Zone must meet the following requirements:

- Each dependent person's unit must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dependent person's unit 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 dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity.
- Each dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy supply.

52.04-828/03/2024
VC259**Use of land requirements in a rural zone and an Urban Growth Zone**

A lot used for a dependent person's unit in a Rural Living Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Farming Zone, Rural Activity Zone and Urban Growth Zone must meet the following requirements:

- Access to the dependent person's unit must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dependent person's unit 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 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 dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.

52.04-9

28/03/2024
VC259

Use of land requirements in an Airport Environs Overlay and Melbourne Airport Environs Overlay

A permit is required under this clause to use land in an Airport Environs Overlay or a Melbourne Airport Environs Overlay for a dependent person's unit.

Land in an Airport Environs Overlay or a Melbourne Airport Environs Overlay must not be used for:

- More than one dependent person's unit.
- A dependent person's unit if there is an existing small second dwelling on the lot.
- A dependent person's unit if the size of the lot is less than 600 square metres.

52.04-10

03/03/2025
VC266

Buildings and works requirements in a specified overlay

A permit is required under the following overlays to construct a building or construct or carry out works for a dependent person's unit:

- Erosion Management Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Floodway Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Land Subject to Inundation Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Special Building Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Bushfire Management Overlay. This does not apply to any of the following:
 - If a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
 - An alteration or extension to an existing building used for a dependent person's unit that is less than 50 percent of the gross floor area of the existing building.

An application under a Bushfire Management Overlay must meet the requirements of clause 53.02-4, unless the application meets all of the requirements specified in a schedule to clause 44.06.

Any other requirement for a dependent person's unit specified in a schedule to an overlay applies.

52.04-11

28/03/2024
VC259

Decision guidelines

Before deciding on an application for a permit under clauses 52.04-5, 52.04-6, 52.04-9 or 52.04-10 the responsible authority must consider the decision guidelines of clause 65, including the decision guidelines of the zone or overlay, as appropriate.

52.04-12

03/03/2025
VC266

Expiry

The requirements of this clause do not have effect after 28 March 2026.

The requirements of the planning scheme that applied to the use or development of land (other than subdivision) for a dependent person's unit before the approval date of Amendment VC253 continue to apply:

- To a planning permit application for the use or development of land (other than subdivision) for a dependent person's unit lodged before the approval date of Amendment VC253.
- Where a planning permit was not required for the use or development of land (other than subdivision) for a dependent person's unit before the approval date of Amendment VC253 if one of the following applies:
 - A building permit was issued for the development of land (other than subdivision) for a dependent person's unit before the approval date of Amendment VC253.
 - A building surveyor has been appointed to issue a building permit for the development of land (other than subdivision) for a dependent person's unit before the approval date of Amendment VC253. A building permit must be issued within 3 months of the approval date of Amendment VC253.
 - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the dependent person's unit before the approval date of Amendment VC253. A building permit must be issued within 3 months of the approval date of Amendment VC253.

52.05

31/07/2018
VC148

SIGNS

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

31/07/2018
VC148

Application

This clause applies to the development of land for signs.

52.05-2

28/02/2025
VC274

Requirements

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, Activity Centre Zone or Precinct Zone if:	Clause 59.09
The sign is not within 30 metres of land (not a road) which is in a residential zone.	

Class of application	Information requirements and decision guidelines
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- 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

31/07/2018
VC148

Referral of applications

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

31/07/2018
VC148

Expiry of permits

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

31/07/2018
VC148

Existing signs

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

20/01/2022
VC205

Application requirements

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

31/07/2018
VC148

Exemption from notice and review

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

31/07/2018
VC148

Decision guidelines

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.

52.05-931/07/2018
VC148**Mandatory conditions****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.

52.05-1026/09/2023
VC246**Signs not requiring a permit**

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

03/02/2022
VC199

Category 1 - Commercial areas

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

52.05-1203/02/2022
VC199**Category 2 - Office and industrial**

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

52.05-1303/02/2022
VC199**Category 3 - High amenity areas**

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

52.05-1417/10/2023
VC241**Category 4 - Sensitive areas**

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. This does not apply to a Business identification sign on land used for a Freeway service centre or Service station.
Floodlit sign	Must not be a Promotion sign on land used for an Open sports ground.
Above-verandah sign	Must be on land used for a Freeway service centre or Service station.
High-wall sign	
Internally illuminated sign	
Pole sign	
Electronic sign	Must be on land used for a Freeway service centre or Service station. The display area must not exceed 3 sqm.
Promotion sign	Must be on land used for a Freeway service centre, Service station or Open sports ground. Must promote goods, services, events or matters provided, undertaken or sold on land used for a Freeway service centre or Service station.

Section 3 - Prohibited

Sign
Any sign not in Sections 1 or 2

28/07/2022
C313boro

SCHEDULE TO CLAUSE 52.05 SIGNS

1.0

28/07/2022
C313boro

Exemption from notice and review

Land	Condition
None specified	

52.06

31/07/2018
VC148

CAR PARKING

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

25/02/2025
VC257

Scope

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, Housing Choice and Transport 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, Housing Choice and Transport 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; or
- the construction and use of a small second dwelling.

52.06-2

19/04/2013
VC95

Provision of car parking spaces

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

28/02/2025
VC274

Permit requirement

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, Activity Centre Zone or Precinct 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

31/07/2018
VC148

Exemption from notice and review

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

24/01/2020
VC160

Number of car parking spaces required under Table 1

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

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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

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Use	Rate	Rate	Car Parking Measure
	Column A	Column B	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	Rate	Car Parking Measure
	Column A	Column B	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

16/01/2018
VC142

Number of car parking spaces required for other uses

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

25/05/2017
VC133

Application requirements and decision guidelines for permit applications

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

25/05/2017
VC133

Requirement for a car parking plan

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

03/02/2022
VC199

Design standards for car parking

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

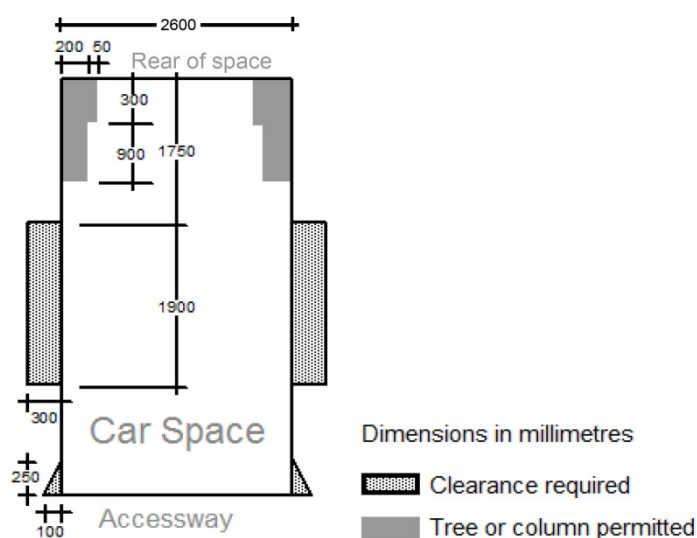
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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 than 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

25/05/2017
VC133

Decision guidelines

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

25/05/2017
VC133

Construction of car parking

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

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- 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

22/11/2022
VC228

EMERGENCY RECOVERY

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

04/11/2022
VC226

Exemption from planning scheme requirements

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

04/11/2022
VC226

Information to responsible authority

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.

52.07-304/11/2022
VC226**Temporary accommodation requirements**

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.

52.07-404/11/2022
VC226**Continuation of use requirements**

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

04/11/2022
VC226

Vegetation removal requirement

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

04/11/2022
VC226

Other development requirements

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

06/10/2023
VC247

Exemptions for extractive industry

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

22/11/2022
VC228

Meaning of terms

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.

52.0824/01/2020
VC160**EARTH AND ENERGY RESOURCES INDUSTRY****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.

52.08-124/01/2020
VC160**Permit requirement**

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 <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Geothermal energy exploration	Complies with the <i>Geothermal Energy Resources Act 2005</i> .
Geothermal energy extraction	Complies with Section 62 of the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration exploration	Complies with Section 189 of the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Greenhouse gas sequestration	Complies with Section 191 of the <i>Geological Sequestration Act 2008</i> .
Mineral exploration	Complies with Section 43(3) of the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Mining	Complies with Section 42(7) or Section 42A <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or Complies with Section 47A of the <i>Electricity Industry Act 1993</i> .
Petroleum exploration	Complies with Section 118 of the <i>Petroleum Act 1998</i> .
Petroleum production	Complies with Section 120 of the <i>Petroleum Act 1998</i> .
Stone exploration	Must not be costeaning or bulk sampling.

52.08-224/01/2020
VC160**Application requirements for mining**

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*.

52.08-314/05/2021
VC198**Referral requirements for mining**

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*.

52.0924/01/2020
VC160**EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS****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.

52.09-124/01/2020
VC160**Application**

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.

52.09-224/01/2020
VC160**Application requirements**

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.

52.09-322/03/2022
VC219**Referral of applications**

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*.

52.09-424/01/2020
VC160**Decision guidelines**

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

24/01/2020
VC160

Permit conditions for extractive industry

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

24/01/2020
VC160

Requirements for extractive industry

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

22/03/2022
VC219

Notice of an application

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.

52.1005/10/2021
VC208**RECONSTRUCTION AFTER AN EMERGENCY****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.

52.10-118/12/2024
VC272**Use exemptions - dwelling**

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 7 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.

52.10-218/12/2024
VC272**Exemption from notice and review**

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 7 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

05/10/2021
VC208

Meaning of terms

In this clause, *emergency* means:

- a bushfire; or
- an earthquake, flood, wind-storm or other natural event.

52.10-4

05/10/2021
VC208

Transitional provision

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.

52.1131/07/2018
VC148**HOME BASED BUSINESS****Purpose**

To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

52.11-115/03/2024
VC256**Requirements to be met**

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 associated with a home business 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.

In this clause, a **commercial vehicle** means:

- any motor vehicle which is used or intended to be used for carrying goods in the course of any business; or
- a commercial motor vehicle within the meaning of the Road Safety Act 1986.

52.11-215/03/2024
VC256**Permit requirement**

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, 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.

52.1205/08/2020
VC176**BUSHFIRE PROTECTION EXEMPTIONS****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.

52.12-105/08/2020
VC176**Exemptions to create defensible space around buildings used for accommodation**

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

05/08/2020
VC176

Exemption for vegetation removal along a fenceline

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

05/08/2020
VC176

Exemption for buildings and works associated with a community fire refuge

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

05/08/2020
VC176

Exemption for buildings and works associated with a private bushfire shelter

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

25/02/2025
VC257

Exemption to create defendable space for a dwelling under Clause 44.06 of this planning scheme

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, Housing Choice and Transport 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

BOROONDARA PLANNING SCHEME

- 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

14/11/2022
VC227

VICTORIA'S CONTAINER DEPOSIT SCHEME

52.13-1

26/09/2023
VC246

Purpose

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

26/09/2023
VC246

Application

This clause applies to the use or development of an automated collection point and a container deposit scheme centre.

52.13-3

26/09/2023
VC246

Automated collection point requirements

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

26/09/2023
VC246

Container deposit scheme centre requirements

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

26/09/2023
VC246

Permit exemption for an automated collection point

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

26/09/2023
VC246

Permit exemption requirement for an automated collection point

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

26/09/2023
VC246

Exemption from car parking requirements for an automated collection point

An automated collection point is exempt from the requirements of clause 52.06.

52.13-8

26/09/2023
VC246

Exemption from permit conditions for an automated collection point

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.

52.13-926/09/2023
VC246**Application requirements**

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.

52.13-1026/09/2023
VC246**Decision guidelines**

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.

52.13-1126/09/2023
VC246**Exemption from notice and review**

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

26/09/2023
VC246

Transitional provisions

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

31/07/2018
VC148

2009 BUSHFIRE - REPLACEMENT BUILDINGS

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

14/12/2020
VC188

Scope

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

20/01/2022
VC205

Exemption from planning scheme requirements

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

31/07/2018
VC148

Land in an Erosion Management Overlay

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

31/07/2018
VC148

Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

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

31/07/2018
VC148

Decision guidelines

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.

52.1529/10/2015
VC101**HELIPORT AND HELICOPTER LANDING SITE****Purpose**

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

52.15-120/03/2023
VC229**Permit requirement**

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.

52.15-218/12/2012
VC93**Application requirements**

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

18/12/2012
VC93

Decision guidelines

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.

52.1614/07/2022
VC213**NATIVE VEGETATION PRECINCT PLAN****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.

52.16-112/12/2017
VC138**Application**

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.

52.16-214/07/2022
VC213**Native vegetation precinct plans**

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.

52.16-312/12/2017
VC138**Permit requirement**

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.

52.16-414/07/2022
VC213**Application requirements**

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.16-514/07/2022
VC213**Decision guidelines**

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

14/07/2022
VC213

Offset requirements

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

20/03/2023
VC229

Transitional provisions

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

16/08/2024
VC262

Table of exemptions

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 <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Conservation, Forests and Lands Act 1987</i>), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the <i>Procedure for the removal, destruction or lopping of native vegetation on Crown land</i>; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Mineral Resources (Sustainable Development) Act 1990</i> 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 <i>Part 2 of the Conservation, Forests and Lands Act 1987</i>); ▪ in accordance with a fire prevention notice issued under either: – section 87 of the <i>Fire Rescue Victoria Act 1958</i>; – section 65 of the <i>Forests Act 1958</i>; or – section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ 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 <i>Electricity Safety Act 1998</i>; ▪ 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 <i>Conservation, Forest and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
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 <i>Geothermal Energy Resources Act 2005</i> .
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 <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Mineral Resources (Sustainable Development) Act 1990</i>: ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>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.</i>
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 <i>Flora and Fauna Guarantee Act 1988</i> .
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.

The requirement to obtain a permit does not apply to:	
	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 written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
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 (<i>Pteridium esculentum</i>); 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 <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Surveying Act 2004</i>) 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 <i>Traditional Owner Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional Owner Settlement Amendment Act in 2016</i> (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 <i>Conservation, Forests and Lands Act 1987</i>).

52.16-914/07/2022
VC213**Melbourne Strategic Assessment Levy Area**

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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

1.0

28/07/2022
C313boro

Native vegetation precinct plan

Name of plan

None specified

52.17

14/07/2022
VC213

NATIVE VEGETATION

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

12/12/2017
VC138

Permit requirement

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

14/07/2022
VC213

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.17-3

12/12/2017
VC138

Property vegetation plans

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

12/12/2017
VC138

Decision guidelines

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

14/07/2022
VC213

Offset requirements

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.

52.17-620/03/2023
VC229**Transitional provisions**

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.

52.17-716/08/2024
VC262**Table of exemptions****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 <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Conservation, Forests and Lands Act 1987</i>), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the <i>Procedure for the removal, destruction or lopping of native vegetation on Crown land</i>; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Mineral Resources (Sustainable Development) Act 1990</i> 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 <i>Conservation, Forests and Lands Act 1987</i>); ▪ in accordance with a fire prevention notice issued under either: – section 87 of the <i>Fire Rescue Victoria Act 1958</i>; – section 65 of the <i>Forests Act 1958</i>; or – section 41 of the <i>Country Fire Authority Act 1958</i>.

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 <i>Geothermal Energy Resources Act 2005</i> .
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 <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
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 <i>Code of Practice for Timber Production 2014 (as amended 2022)</i> (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 <i>Forests Act 1958</i>; or ▪ authorised in accordance with Part 5 of the <i>Sustainable Forests (Timber) Act 2004</i>.
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 <i>Catchment and Land Protection Act 1994</i> .
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 <i>Catchment and Land Protection Act 1994</i> .

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 <i>Flora and Fauna Guarantee Act 1988</i>; 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 <i>Conservation, Forests and Lands Act 1987</i>).
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 (<i>Pteridium esculentum</i>); 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 <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Surveying Act 2004</i>) 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 <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Conservation, Forests and Lands Act 1987</i>).
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 <i>Road Management Act 2004</i>. <i>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.</i>
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.

52.17-814/07/2022
VC213**Melbourne Strategic Assessment Levy Area**

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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION**1.0**

28/07/2022
C313boro

Scheduled area

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
None specified	

2.0

28/07/2022
C313boro

Scheduled weed

Area	Description of weed
None specified	

52.1828/10/2022
VC224**CORONAVIRUS (COVID-19) PANDEMIC AND RECOVERY EXEMPTIONS****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.

52.18-111/10/2024
VC270**Operation**

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 36 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.

52.18-228/10/2022
VC224**Public land exemptions**

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.

52.18-328/10/2022
VC224**Food and drink business extension exemptions**

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

28/10/2022
VC224

Car parking exemption

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

28/10/2022
VC224

Permit condition exemptions

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

15/03/2024
VC256

Use and development requirements

The following requirements apply to the use and development of 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

04/11/2022
VC226

TELECOMMUNICATIONS FACILITY

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

04/11/2022
VC226

Permit requirement

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

04/11/2022
VC226

Land in public ownership

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

04/11/2022
VC226

Exemptions from notice and review

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

04/11/2022
VC226

Application requirements

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

04/11/2022
VC226

Decision guidelines

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

19/12/2024
VC273

GOVERNMENT FUNDED HOUSING DEVELOPMENT

Purpose

To facilitate the use and development of land for housing projects funded wholly or partly, by the Victorian or Commonwealth Government.

To ensure that development does not unreasonably impact on the amenity of adjoining dwellings or small second dwellings.

52.20-1

19/12/2024
VC273

Application

This clause applies to the use or development of land that is:

- Funded wholly or partly, by the Victorian or Commonwealth Government; 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

20/12/2021
VC207

Exemption from planning scheme requirements

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

19/12/2024
VC273

Use and development requirements

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 from the Victorian or Commonwealth Government is approved.

52.20-4

14/07/2022
VC230

Consultation requirements

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

31/03/2025
VC267

Requirements for plans and documents

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, by the Victorian or Commonwealth Government.
- 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, 57, 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

01/01/2024
VC250

Development standards for dwellings and buildings

52.20-6.1

Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity.

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 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 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

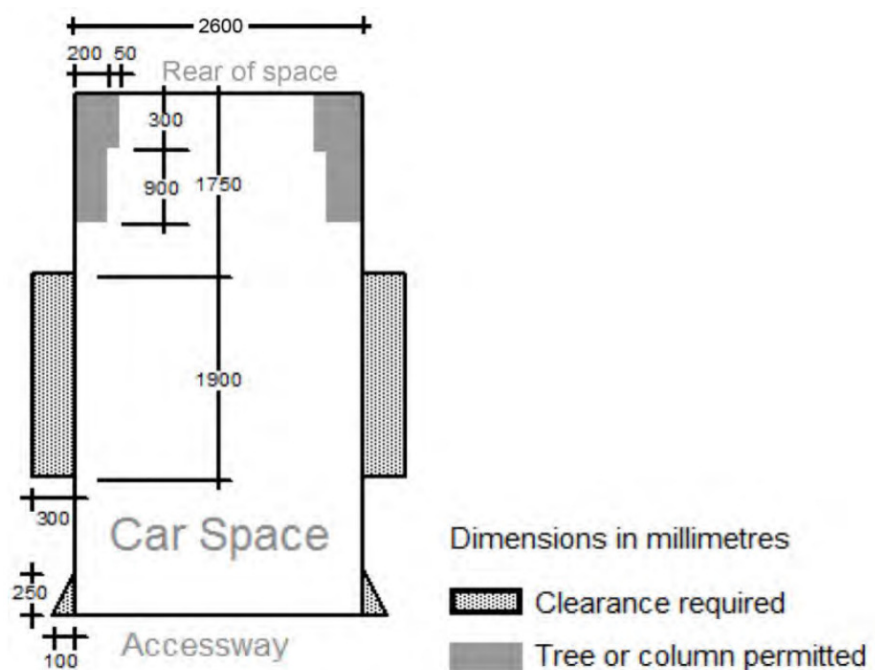
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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

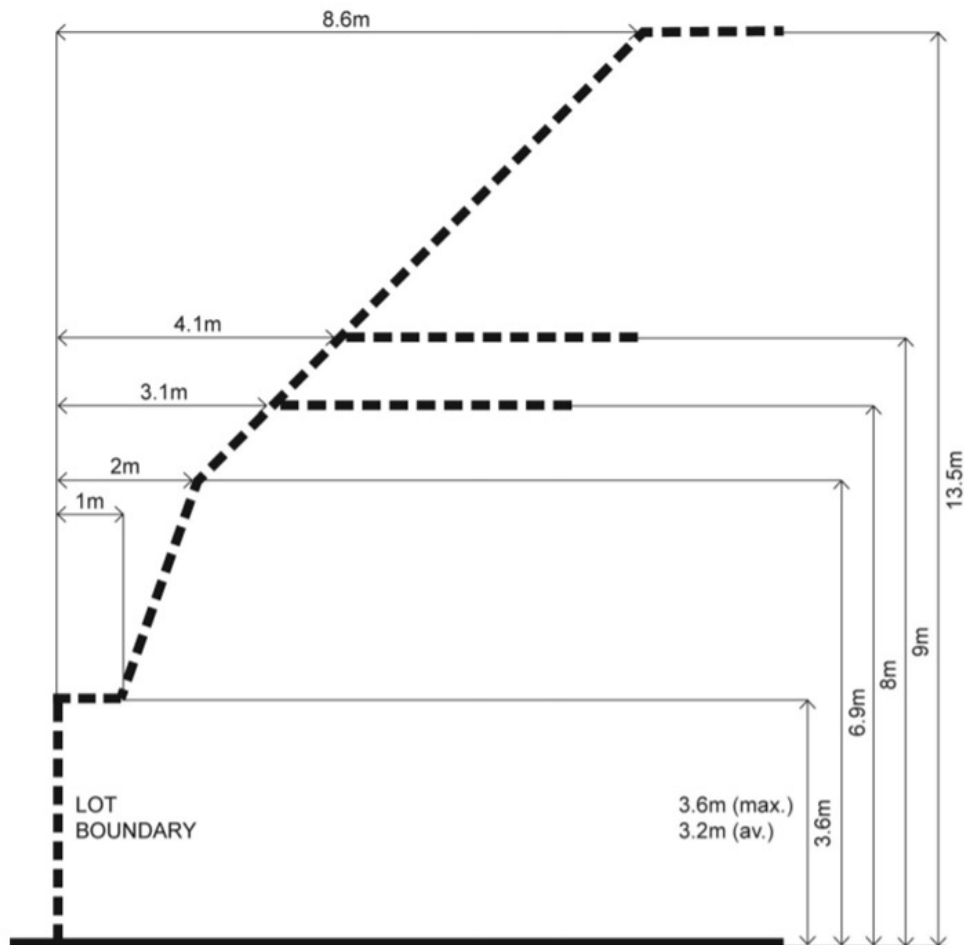
Side and rear setbacks

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.

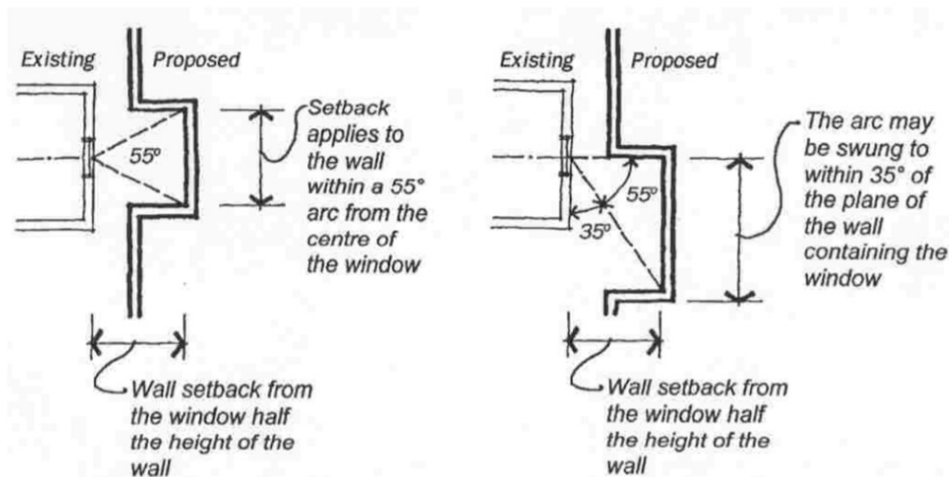
52.20-6.10 Daylight to existing windows

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.

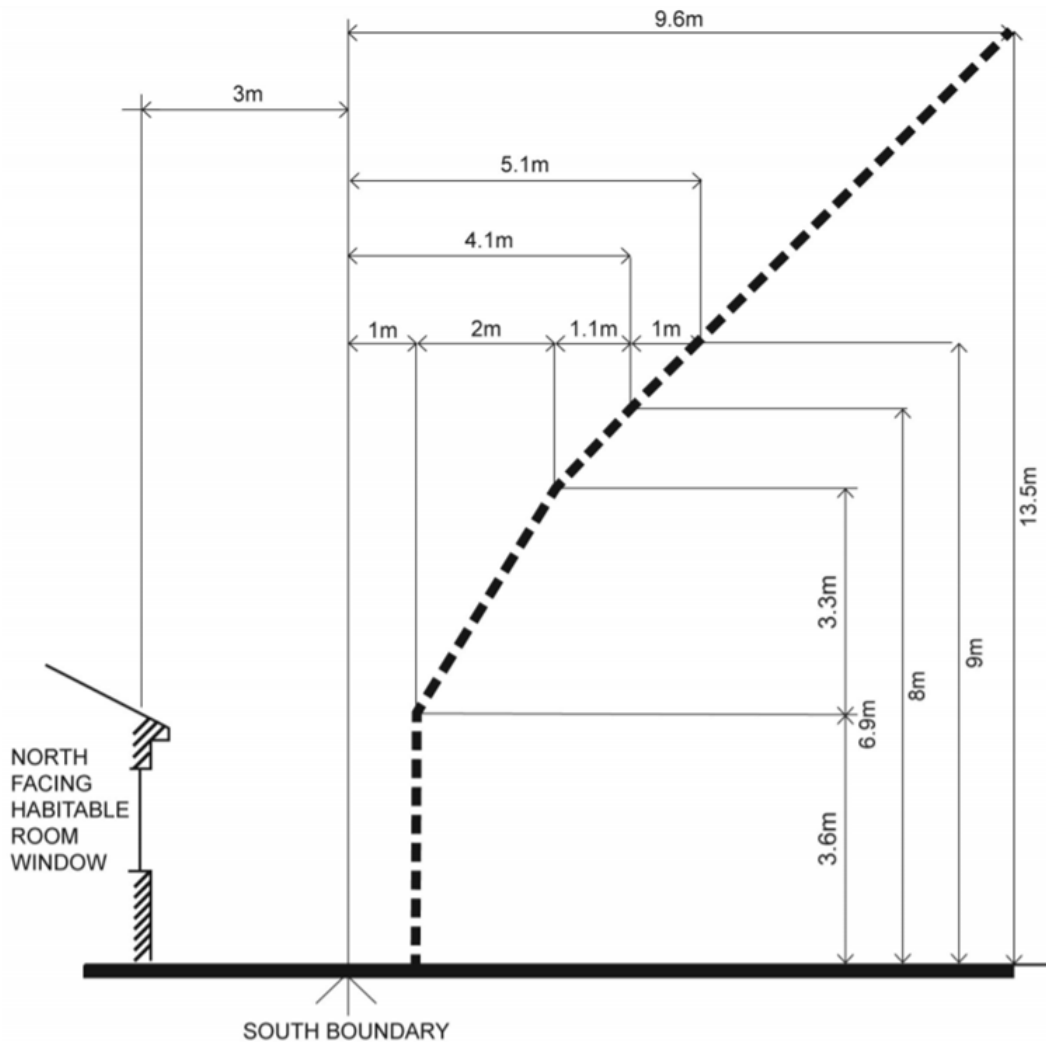
Diagram 3 Daylight to existing windows



52.20-6.11 North-facing windows

If a north-facing habitable room window of an existing dwelling or small second 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 or small second 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 or small second 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 or small second 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 an existing dwelling or a small second 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.

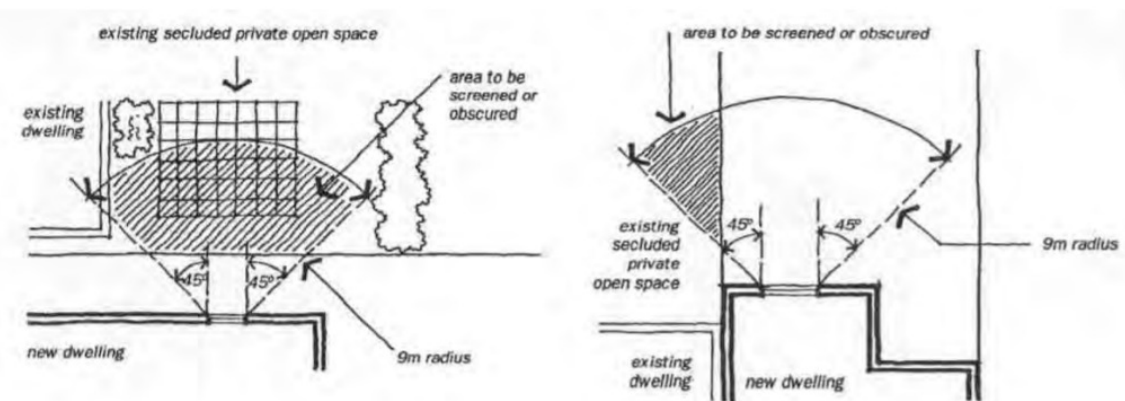
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 or small second 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.

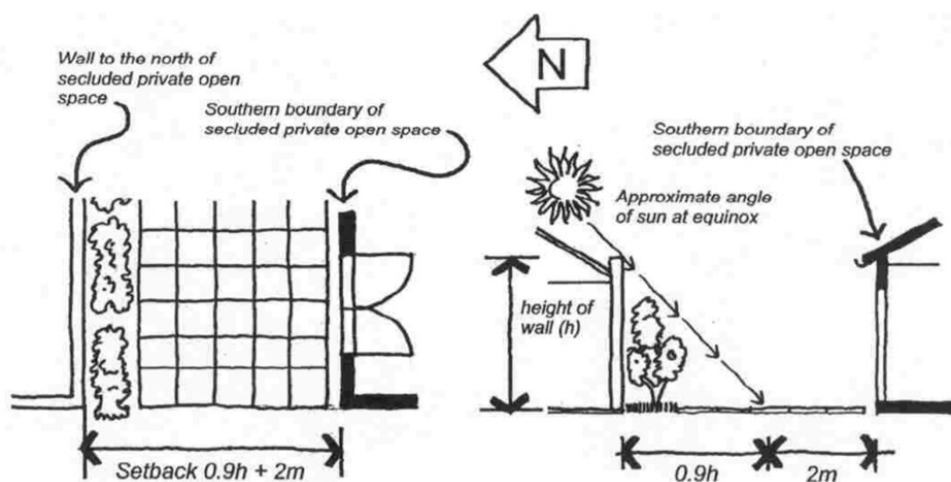
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

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

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Development standards for apartments

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 or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second 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 or small second 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
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 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 or small second 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 or small second 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 or small second 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

20/03/2023
VC229

Native vegetation requirements

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

20/03/2023
VC229

Transitional provision

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

31/07/2018
VC148

PRIVATE TENNIS COURT

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

31/07/2018
VC148

Application

This clause applies to any private tennis court which is used in association with a dwelling.

52.21-2

19/01/2006
VC37

Permit requirement

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

19/01/2006
VC37

Application requirements

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

31/07/2018
VC148

Notice provisions

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

19/01/2006
VC37

Decision guidelines

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.

52.2226/10/2018
VC152**COMMUNITY CARE ACCOMMODATION****Purpose**

To facilitate the establishment of community care accommodation.

To support the confidentiality of community care accommodation.

52.22-126/10/2018
VC152**Application**

This clause applies to the use and development of land for community care accommodation.

52.22-228/02/2025
VC274**Use exemption**

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Housing Choice and Transport Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Precinct 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.

52.22-331/03/2025
VC267**Buildings and works exemption**

Any requirement in the General Residential Zone, Housing Choice and Transport 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, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, the standards B2-1, B2-3, B2-4, B4-1, B4-2, B4-3, B4-4 and B5-2 of clause 55 must be met.

52.22-4

04/11/2022
VC226

Exemption from notice and review

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

04/11/2022
VC226

Meaning of terms

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

26/10/2018
VC152

ROOMING HOUSE

Purpose

To facilitate the establishment of domestic-scale rooming houses.

52.23-1

26/10/2018
VC152

Application

This clause applies to use and development of land for a rooming house.

52.23-2

28/02/2025
VC274

Use exemption

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Precinct 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

25/02/2025
VC257

Buildings and works exemption

Any requirement in the General Residential Zone, Housing Choice and Transport 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.

52.2519/01/2006
VC37**CREMATORIUM****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

31/07/2018
VC148

[NO CONTENT]

52.27

01/07/2025
VC286

[NO CONTENT]

28/07/2022
C313boro

SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES**1.0**

28/07/2022
C313boro

Permit not required

Land	Type of licence
None specified	

2.0

28/07/2022
C313boro

Permit may not be granted

Land	Type of licence
None specified	

52.28

31/07/2018
VC148

GAMING

52.28-1

18/10/2006
VC39

Purpose

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

31/07/2018
VC148

Gaming objectives

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

31/07/2018
VC148

Permit requirement

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

31/07/2018
VC148

Prohibition of a gaming machine in a shopping complex

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

31/07/2018
VC148

Prohibition of a gaming machine in a strip shopping centre

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

31/07/2018
VC148

Locations for gaming machines

A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.

52.28-7

31/07/2018
VC148

Venues for gaming machines

A schedule to this clause may specify guidelines relating to venues for gaming machines.

52.28-8

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

52.28-9

31/07/2018
VC148

Decision guidelines

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.

28/07/2022
C313boro**SCHEDULE TO CLAUSE 52.28 GAMING****1.0**28/07/2022
C313boro**Objectives**

None specified.

2.028/07/2022
C313boro**Prohibition of a gaming machine in a shopping complex**

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
Tooronga Village Shopping Centre, Hawthorn East	Land on the southeast corner of Toorak Rd and Tooronga Rd, Hawthorn East

3.028/07/2022
C313boro**Prohibition of a gaming machine in a strip shopping centre**

A gaming machine as specified in Clause 52.28-5 is prohibited in a strip shopping centre specified in Table 2 below.

Table 2

Name of strip shopping centre and locality	Land description
Alamein Shopping Centre, Ashburton	40A, 40B, 40C, 40D, 40E, 40F and 40G Victory Boulevard
Ashburton Shopping Centre, Ashburton	191-283B (odd numbers), 285-305 (odd numbers) and 162-266 (even numbers) High St; 2 Morotai Ave; 1 and 1A Welfare Parade
Ashwood Shopping Centre, Ashwood	374A-386 (even numbers) Warrigal Rd; 395-415 (odd numbers) High St
Auburn Village Shopping Centre, Hawthorn	86-114 (even numbers) and 75-143 (odd numbers) Auburn Rd; 623-655 (odd numbers) Burwood Rd; 31 Malmsbury St
Balwyn East Shopping Centre, Balwyn North and Box Hill North	385-399 (odd numbers) Belmore Rd; 324-346 (even numbers) Belmore Rd
Balwyn Heights Shopping Centre, Balwyn North and Balwyn	243-255A (odd numbers) and 170-190 (even numbers) Belmore Rd
Balwyn Shopping Centre, Balwyn	231-473 (odd numbers) and 208-318 (even numbers) Whitehorse Rd; 90, 92, 92A and 97 Balwyn Rd; 1-3 (odd numbers) Mangan St; 2 Yerrin St
Bardolph Street Shopping Centre, Burwood	1-17 (odd numbers) Bardolph St
Belford Court Shopping Centre, Kew East	46-58 (even numbers) Kilby Rd
Bellevue Shopping Centre, Balwyn North	103-149 (odd numbers) Bulleen Rd
Boroondara Shopping Centre, Balwyn North	321-341 (odd numbers) and 378-410 (even numbers) Balwyn Rd

BOROONDARA PLANNING SCHEME

Name of strip shopping centre and locality	Land description
Burwood Shopping Centre, Burwood	1337-1433 (odd numbers) and 1338-1430 (even numbers) Toorak Rd; 242-250 (even numbers) Warrigal Rd
Camberwell Junction Shopping Centre, Camberwell and Hawthorn East	72-74 (even numbers) Auburn Parade; 2, 13 and 14 Burke Ave; 554-798B (even numbers) and 681-981 (odd numbers) Burke Rd; 849 Burwood Rd; 2-6 (even numbers) Butler St; 1, 1A, 2, 2A, 4, 20 and 24 Camberwell Grove; 199-309 (odd numbers), 178-240 (even numbers) and 365-385 (odd numbers) Camberwell Rd; 1-25 (odd numbers) Cookson St; 10-22 (even numbers) Council St; 1-9 (odd numbers) Evans Place; 2-17 (all numbers) Prospect Hill Rd; 1-12 (all numbers) Railway Parade; 3-35 (odd numbers) Redfern St; 425-439A (odd numbers), 441-551 (odd numbers) and 472-560 (even numbers) Riversdale Rd; 9-27 (odd numbers) Russell St; 3-57 (odd numbers) Station St
Canterbury Shopping Centre, Canterbury	173-247 (odd numbers), 190A and 192-200 (even numbers) Canterbury Rd; 1-25 (odd numbers) Shierlaw Ave; 1 Rochester Rd
Church Street Shopping Centre, Hawthorn	2-54 (even numbers) and 5 Church St; 70-74 (even numbers) Barkers Rd; 28 and 37 Pine St
Cotham Village Shopping Centre, Kew	81-131 (odd numbers) and 118-150 (even numbers) Cotham Rd; 916-926 (even numbers) Glenferrie Rd; 1 Kent St
Deepdene Shopping Centre, Deepdene	33-171 (odd numbers) Whitehorse Rd; southern part of 4 Leonard St
Dickins Corner Shopping Centre, Balwyn and Kew East	1, 9A and 2-10 (even numbers) Doncaster Rd; 1128-1152 (even numbers), 1399 and 1403-1411 (odd numbers) Burke Rd; 826-844 (even numbers) High St
Fordham Avenue Shopping Centre, Camberwell	116-128 (even numbers) Fordham Ave
Glen Iris Village Shopping Centre, Glen Iris	15-75 (odd numbers) and 4-68 (even numbers) High St
Glenferrie Hill Shopping Centre, Hawthorn	529-553 (odd numbers) and 524-552 (even numbers) Glenferrie Rd; 81-99 (odd numbers) Riversdale Rd
Glenferrie Road Shopping Centre, Glenferrie	228 Barkers Rd; 1 Bowen St; 292-352 (even numbers), 313-317 (odd numbers), 378-408 (even numbers), 357-369 (odd numbers) and 395 Burwood Rd; 1 Cook St; 1A Churchill Grove; 618-672 (even numbers), 605-643 (odd numbers), 653-827 (odd numbers) and 692A-866 (even numbers) Glenferrie Rd; land bounded by Glenferrie Rd, Wakefield St,

BOROONDARA PLANNING SCHEME

Name of strip shopping centre and locality	Land description
	Alfred St and Glenferrie Place; 3 Guest St; 84 Hawthorn Grove; 2 Liddiard St; 1 Oxley Rd; rear of 1-5 (odd numbers) Vicars St; 20 Wakefield St
Golf Links Village Shopping Centre, Camberwell	513-533 (odd numbers) and 514-526 (even numbers) Camberwell Rd; 2A Glen Iris Rd
Greythorn Shopping Centre, Greythorn	275-329 (odd numbers) and 264-308 (even numbers) Doncaster Rd; 2 Trentwood Ave
Harp Village Shopping Centre, Kew East	599, 607-711 (odd numbers) and 596-700 (even numbers) High St; 2-10 (even numbers) Westbrook St; 3-13 (odd numbers) and 12 Strathalbyn St; 29-33 (odd numbers) Valerie St; 13 Station St
Hartwell Shopping Centre, Hartwell	605-639 (odd numbers) Camberwell Rd; that part of 600-610 (even numbers) Camberwell Rd fronting Toorak Rd; 1/1095, 2/1095, 1111-1237 (odd numbers), western part of 1092, 1100-1174 (even numbers) and 1202-1236 (even numbers) Toorak Rd
Hawthorn East Shopping Centre, Hawthorn East	488-502 (even numbers) Tooronga Rd; 2 Campbell Grove
Highfield Road Shopping Centre, Camberwell	120-142 (even numbers) Highfield Rd
Hilda Street Shopping Centre, Balwyn	2-8 (even numbers) Tivey Parade; 26A, 26B, 28, 28A and 28B Hilda St
Kew Junction Shopping Centre, Kew	3-9 (odd numbers) and 6-14 (even numbers) Brougham St; 13-35 (odd numbers) and 2-56 (even numbers) Cotham Rd; northern part of 116-128 (even numbers) Denmark St; 3, 14 and 16 Derby St; 1-9 (odd numbers) Derrick St; 13 and 16 Fenton Ave; 79-99 (odd numbers), 113-243 (odd numbers), 126-360 (even numbers) and 283-367 (odd numbers) High St; 2-16 (even numbers) and 26-30 (even numbers) Princess St; 2-8 (even numbers) Peel St; 25 Queen St; 7-19 (odd numbers) and 2-14 (even numbers) Walpole St; 2-10 (even numbers) Walton St
Maling Road Shopping Centre, Canterbury	64-122 (even numbers) and 103-145 (odd numbers) Maling Rd; 1-5 (odd numbers) and 2-8 (even numbers) Theatre Place; 206-218 (even numbers) Canterbury Rd; 1A and 2-12 (even numbers) Bryson St; 1-3 (odd numbers) Wattle Valley Rd
Middle Camberwell Shopping Centre, Camberwell and Canterbury	720-780 (even numbers) and 719-761 (odd numbers) Riversdale Rd; 2 Coolangatta Rd
Mont Albert Shopping Centre, Mont Albert	486A-560 (even numbers) and 585-617 (odd numbers) Whitehorse Rd
Mount Street/Burke Road Shopping Centre, Kew	1107-1167 (odd numbers) Burke Rd

BOROONDARA PLANNING SCHEME

Name of strip shopping centre and locality	Land description
North Balwyn Village Shopping Centre, North Balwyn	60-78 (even numbers) and 61-93 (odd numbers) Doncaster Rd
Peate Avenue/Toorak Road Shopping Centre, Glen Iris	964-990 (even numbers) Toorak Rd
Rathmines Road/Burke Road Shopping Centre, Hawthorn East	1009-1027 (odd numbers) Burke Rd
Riversdale Shopping Centre, Hawthorn and Hawthorn East	188, 236-242 (even numbers) and 185-221 (odd numbers) Riversdale Rd; 256-326 (even numbers) and 251-305 (odd numbers) Auburn Rd
Solway Shopping Centre, Ashburton	38-50 (even numbers) Taylor St
Maling Road Shopping Centre, Canterbury	883 Toorak Rd; 431-495 (odd numbers) Burke Rd; 1-13 (all numbers) of 497 Burke Rd; 499-549 (odd numbers), 386-390 (even numbers) and 420-426 (even numbers) Burke Rd
South Hawthorn Shopping Centre, Glen Iris and Hawthorn East	1333-1361 (odd numbers) and 1030-1060 (even numbers) Burke Rd; 144-152 (even numbers) Harp Rd
Stradbroke Shopping Centre, Kew East and Balwyn	94-120 (even numbers) and 127-151 (odd numbers) Union Rd; 619-637 (odd numbers), 649 and 376-430 (even numbers) Canterbury Rd
Surrey Hills Shopping Centre, Surrey Hills	173-195 (odd numbers) Through Rd; 893-897 (odd numbers), 923-929 (odd numbers) and 922-928 (even numbers) Riversdale Rd
Through Road Shopping Centre, Burwood and Surrey Hills	11-105 (odd numbers) and 32-116 (even numbers) Burwood Rd; 112A Power St; land bounded by Elgin Place, Power St and the railway; 2-6 (even numbers) Morang Rd; 1 and 2 Domville Ave; 1 Yarra St
Willsmere Shopping Centre, Kew	72, 77, 77A, 79-113 (odd numbers) Willsmere Rd; 133, 135 and 156-164 (even numbers) Pakington St; 45-53 Earl St

4.0

28/07/2022
C313boro

Locations for gaming machines

None specified.

5.0

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C313boro

Venues for gaming machines

None specified.

6.0

28/07/2022
C313boro

Application requirements

None specified.

7.0

28/07/2022
C313boro

Decision guidelines

None specified.

52.2920/01/2022
VC205**LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK****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.

52.29-120/01/2022
VC205**Application**

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.

52.29-220/01/2022
VC205**Permit requirement**

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.

52.29-314/05/2021
VC198**Permit not required**

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.

52.29-420/01/2022
VC205**Referral of applications**

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.

52.29-531/07/2018
VC148**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.

52.29-620/01/2022
VC205**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.

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- 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.

52.3012/02/2024
VC254**STATE PROJECTS****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.

52.30-120/03/2023
VC229**Application**

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.

52.30-212/02/2024
VC254**State project decision**

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;
- 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.

52.30-3

12/02/2024
VC254

Exemption from planning scheme requirements

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.
- A use or development to which clauses 52.03, 52.35 or 52.36 apply.
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

52.30-4

29/09/2022
VC222

Project requirement

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

29/09/2022
VC222

Consultation requirements

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

12/02/2024
VC254

Other pre-commencement requirements

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.
- 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

25/03/2021
VC194

Native vegetation requirements

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.

52.3125/03/2021
VC194**LOCAL GOVERNMENT PROJECTS****Purpose**

To facilitate the development of land by or on behalf of municipal councils.

52.31-125/03/2021
VC194**Permit exemptions**

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.

52.31-225/03/2021
VC194**Exemption from notice and review**

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.

52.3231/07/2018
VC148**WIND ENERGY FACILITY****Purpose**

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

52.32-103/08/2021
VC206**Application**

This clause applies to land used and developed or proposed to be used and developed for a wind energy facility.

52.32-203/08/2021
VC206**Use and development of land**

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 <i>National Parks Act 1975</i>	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 <i>Environment Protection and Biodiversity Conservation Act 1999</i> (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.

52.32-303/08/2021
VC206**Turbine within one kilometre of a dwelling**

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

04/07/2023
VC234

Application requirements

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 the *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

04/07/2023
VC234

Decision guidelines

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

03/08/2021
VC206

Anemometer

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

03/08/2021
VC206

Application to amend a permit under section 72 of the Act

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

03/08/2021
VC206

Application to amend a permit under section 97I of the Act

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:

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- 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

31/07/2018
VC148

Wind energy facility prohibition

Land where a Wind energy facility is prohibited

None specified

52.3331/07/2018
VC148**POST BOXES AND DRY STONE WALLS****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

31/07/2018
VC148

Permit requirement for dry stone walls

Land

None specified

52.3431/07/2018
VC148**BICYCLE FACILITIES****Purpose**

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

52.34-119/01/2006
VC37**Provision of bicycle facilities**

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.

52.34-231/07/2018
VC148**Permit requirement**

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

52.34-314/01/2025
VC148**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.

52.34-414/01/2025
VC237**Decision guidelines**

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 AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking* (Standards Australia, 2015)
- Any relevant bicycle parking strategy or equivalent.

52.34-528/02/2025
VC274**Required bicycle facilities**

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 a schedule to the Precinct Zone specifies the number of bicycle spaces required for a use listed in column 1 of Table 1, that requirement is taken to be the required number of bicycle spaces for that use for the purpose of this clause.

If a schedule to the Precinct Zone specifies the number of bicycle spaces required for a use not listed in column 1 of Table 1, that use is deemed to be a use listed in column 1 of the table and the corresponding required number of spaces is deemed to be a requirement specified in column 2 or 3 of the table, as applicable.

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.
- In accordance with any requirement specified in a schedule to the Precinct Zone.

A bicycle space for a visitor, shopper or student must be provided:

- At a bicycle rail.
- In accordance with any requirement specified in a schedule to the Precinct Zone.

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

Use	Employee/Resident	Visitor/Shopper/Student
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
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

31/07/2018
VC148

Design of bicycle spaces

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

31/07/2018
VC148

Bicycle signage

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.

52.3514/05/2021
VC198**MAJOR ROAD PROJECTS****52.35-1**14/05/2021
VC198**Purpose**

To facilitate the delivery of projects carried out by or on behalf of Major Road Projects Victoria.

52.35-214/05/2021
VC198**Application**

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.

52.35-314/05/2021
VC198**Exemption from planning scheme requirements**

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.

52.35-414/05/2021
VC198**Use and development requirements**

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

14/05/2021
VC198

Consultation requirements

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

14/05/2021
VC198

Project boundary requirement

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

14/05/2021
VC198

Other pre-commencement requirements

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

14/05/2021
VC198

Native vegetation requirements

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

14/05/2021
VC198

Preparatory use and development

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.

52.3614/05/2021
VC198**RAIL PROJECTS****52.36-1**14/05/2021
VC198**Purpose**

To facilitate the delivery of projects carried out by or on behalf of Rail Projects Victoria.

52.36-214/05/2021
VC198**Application**

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.

52.36-314/05/2021
VC198**Exemption from planning scheme requirements**

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.

52.36-420/01/2022
VC205**Use and development requirements**

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

14/05/2021
VC198

Consultation requirements

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

14/05/2021
VC198

Project boundary requirement

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

14/05/2021
VC198

Other pre-commencement requirements

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

14/05/2021
VC198

Native vegetation requirements

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

14/05/2021
VC198

Preparatory use and development

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.

GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS

53.01

25/02/2025
VC257

PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

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*.

This requirement does not apply if a public open space contribution requirement is specified in a schedule to the Built Form Overlay.

53.01-1

31/07/2018
VC148

Exemption from public open space requirement specified in the scheme

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

31/07/2018
VC148

Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

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

31/07/2018
VC148

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
None specified	

53.02

31/07/2018
VC148

BUSHFIRE PLANNING

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

25/02/2025
VC257

Application

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, Housing Choice and Transport 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

31/07/2018
VC148

Operation

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

31/07/2018
VC148

Dwellings in existing settlements – Bushfire protection objective

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

14/12/2023
VC253

Bushfire protection objectives

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), small second dwelling, 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 small second dwelling), 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 <i>AS3959:2018 Construction of buildings in bushfire prone areas</i> (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 defensible 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 defensible 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 small second dwelling), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defensible 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 defensible 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 small second dwelling, 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 small second dwelling), 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 defensible 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 defensible 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 defensible space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope. ▪ Defensible space wholly contained within the boundaries of the proposed subdivision. ▪ Defensible space may be shared between lots within the subdivision. Defensible space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defensible space. ▪ Vegetation management requirements in accordance with Table 6 to implement and maintain the defensible 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 defensible 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 defensible space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.

53.02-5

20/03/2023
VC229

Tables : Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

Table 1 Defendable space and construction

Slope	Vegetation Type	Defendable space distance from building facade (metres)				
		Column A	Column B	Column C	Column D	Column E
All upslopes and flat land (0 degrees)	Forest	48	35	25	19	< 19
	Woodland	33	24	16	12	< 12
	Scrub	27	19	13	10	< 10
	Shrubland	19	13	9	7	< 7
	Mallee/ Mulga	17	12	8	6	< 6
	Rainforest	23	16	11	8	< 8
	Grassland	19	13	9	6	< 6
Downslope >0 to 5 degrees	Forest	57	43	32	24	< 24
	Woodland	41	29	21	15	< 15
	Scrub	31	22	15	11	< 11
	Shrubland	22	15	10	7	< 7
	Mallee/ Mulga	20	13	9	7	< 7
	Rainforest	29	20	14	10	< 10
	Grassland	22	15	10	7	< 7
Downslope >5 to 10 degrees	Forest	69	53	39	31	< 31
	Woodland	50	37	26	20	< 20
	Scrub	35	24	17	12	< 12
	Shrubland	25	17	11	8	< 8
	Mallee/ Mulga	23	15	10	7	< 7
	Rainforest	36	26	18	13	< 13
	Grassland	25	17	11	8	< 8
Downslope >10 to 15 degrees	Forest	82	64	49	39	< 39
	Woodland	60	45	33	25	< 25
	Scrub	39	28	19	14	< 14
	Shrubland	28	19	13	9	< 9

BOROONDARA PLANNING SCHEME

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

BOROONDARA PLANNING SCHEME

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

BOROONDARA PLANNING SCHEME

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 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 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.

53.0301/01/2024
VC250**RESIDENTIAL RETICULATED GAS SERVICE CONNECTION****Purpose**

To prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

53.03-101/01/2024
VC250**Application**

This clause applies to an application for a permit under any provision of this scheme that is for or includes:

- construction of a new dwelling (other than a caretaker's house) or a new apartment development.
- the subdivision of land where the subdivision provides for or is for one or more purposes that include residential development.

This clause does not apply to an application for a permit that is solely for:

- the alteration or extension of an existing dwelling or apartment development.
- the subdivision of land or a building to create lots each containing an existing dwelling or apartment.
- the subdivision of land or a building to create lots each of which are intended to contain a dwelling or an apartment authorised by a planning permit that has been issued for the land.

53.03-201/01/2024
VC250**Building and works requirement**

A permit must not be granted for construction of a new dwelling or a new apartment development that is to be connected to a reticulated gas service.

A permit granted for buildings and works in relation to an application to which this clause applies must include the following mandatory condition(s) as relevant:

For a dwelling:

"Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."

For an apartment development:

"Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."

53.03-301/01/2024
VC250**Subdivision requirement**

A permit must not be granted for a subdivision that includes a lot that is to be connected to a reticulated gas service. This does not apply to:

- a lot that will not be used for, or include, a dwelling; or
- a lot that contains an existing dwelling or apartment; or
- a lot where a permit has been granted for a dwelling or apartment on the land in the lot.

A permit granted for subdivision in relation to an application to which this clause applies must include the following mandatory condition:

"Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:

- a lot that will not be used for, or include, a dwelling; or

- a lot that contains an existing dwelling or apartment; or
- a lot where a permit has been granted for a dwelling or apartment on the land in the lot.

This condition continues to have force and effect after a statement of compliance under the Subdivision Act 1988 has been issued and the subdivision authorised by this permit has been completed."

53.03-4

01/01/2024
VC250

Application requirements

An application for a permit to which this clause applies must, in addition to those application requirements specified elsewhere in the scheme, be accompanied by details of the proposed energy provision other than a connection to a reticulated gas service, as appropriate, to the satisfaction of the responsible authority.

53.03-5

01/01/2024
VC250

Transitional provisions

The requirements of this clause introduced by Amendment VC250 do not apply to:

- An application lodged before the approval date of Amendment VC250.
- An application for an amendment to a permit under section 72 of the Act with respect to a permit issued in accordance with the above transitional provision.

53.03-6

01/01/2024
VC250

Definitions

In this clause:

Connected to a reticulated gas service means:

- In the case of a building, reticulated natural gas is directly supplied to the building. This does not include liquefied petroleum gas (LPG).
- In the case of a subdivision for residential purposes, reticulated natural gas is directly supplied to a lot. This does not include liquefied petroleum gas (LPG).

New dwelling means:

- A new building, buildings, or part of a building, constructed to be used as a dwelling (other than a caretaker's house) not including the alteration or extension of an existing dwelling.
- A new building, buildings, or part of a building, connected to an existing dwelling and constructed to be used as a separate dwelling (other than a caretaker's house), provided the use does not incorporate any part of what was the gross floor area (excluding external or party walls) of the existing dwelling.
- A new outbuilding or swimming pool associated with an existing or proposed dwelling, provided it is not within the gross floor area (excluding external or party walls) of an existing dwelling.

It does not include a new apartment development.

New apartment development means a new building, buildings, or part of a building, constructed to contain one or more apartments, whether or not any other use is provided for, but does not include the extension or alteration of, or the addition of new apartments to, an existing apartment development.

53.04

31/07/2018
VC148

53.04-1

31/07/2018
VC148

CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

53.04-2

20/01/2022
VC205

Decision guidelines

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.

BOROONDARA PLANNING SCHEME

- 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

14/05/2021
VC198

FREEWAY SERVICE CENTRE

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

14/08/2023
VC236

Requirements to be met

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

31/07/2018
VC148

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 Freeway Service Centres Design Guidelines, May 1997.

53.06

28/09/2020
VC183

LIVE MUSIC ENTERTAINMENT VENUES

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

28/09/2020
VC183

Application

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

14/12/2023
VC253

Meaning of terms

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, dwelling, residential aged care facility, residential village, retirement village, rooming house or small second dwelling.

53.06-3

04/05/2022
VC210

Requirements to be met

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

28/09/2020
VC183

Application requirements

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

28/09/2020
VC183

Decision guidelines

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**04/05/2022
VC210**Areas to which Clause 53.06 does apply**

Name of area	Description
None specified	

2.004/05/2022
VC210**Areas to which Clause 53.06 does not apply**

Name of area	Description
None specified	

3.004/05/2022
VC210**Other venues to which Clause 53.06 applies**

Name of venue	Address	Condition or limitation
None specified		

53.0731/07/2018
VC148**SHIPPING CONTAINER STORAGE****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.

53.07-120/01/2022
VC205**Decision guidelines**

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:

BOROONDARA PLANNING SCHEME

- 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

31/07/2018
VC148

CATTLE FEEDLOT

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

31/07/2018
VC148

Requirements to be met

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.

53.0911/04/2019
VC156**POULTRY FARM****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.

53.09-121/09/2018
VC150**Application**

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.

53.09-221/09/2018
VC150**Permit not required – Outdoor range area for existing broiler farm**

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.

53.09-321/09/2018
VC150**Requirement – Broiler farm**

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.

53.09-411/04/2019
VC156**Exemption from notice and review**

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

53.09-521/09/2018
VC150**Notice of an application**

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.

53.09-621/09/2018
VC150**Decision guidelines**

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).

53.1026/05/2020
VC175**USES AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS****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.

53.10-126/09/2023
VC246**Threshold distance**

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

BOROONDARA PLANNING SCHEME

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

BOROONDARA PLANNING SCHEME

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

BOROONDARA PLANNING SCHEME

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

BOROONDARA PLANNING SCHEME

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

BOROONDARA PLANNING SCHEME

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

53.1131/07/2018
VC148**TIMBER PRODUCTION****53.11-1**31/07/2018
VC148**Timber production on Crown land**

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.

53.11-220/03/2023
VC229**Timber production to comply with the Code of Practice for Timber Production**

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.

53.11-331/07/2018
VC148**Road repairs**

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*.

53.11-431/07/2018
VC148**Decision guidelines**

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

08/08/2019
VC159

RACING DOG HUSBANDRY

Purpose

To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

53.12-1

08/08/2019
VC159

Requirement

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

31/07/2018
VC148

Exemption from notice and review

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.

53.1317/09/2019
VC161**RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)****Purpose**

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

53.13-117/09/2019
VC161**Application**

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).

53.13-201/07/2021
VC203**Application requirements**

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

28/10/2022
VC224

Decision guidelines

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

17/09/2019
VC161

Amendment VC161 transitional provisions

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.

53.1431/07/2018
VC148**RESOURCE RECOVERY****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.

53.14-131/07/2018
VC148**Application**

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

53.14-201/07/2021
VC203**Application requirements**

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.

53.14-314/01/2025
VC237**Decision Guidelines**

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 *Victorian Recycling Infrastructure Plan* (Department of Energy, Environment and Climate Action, October 2024).
- 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

31/07/2018
VC148

STATEMENT OF UNDERLYING PROVISIONS

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

31/07/2018
VC148

Application

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

28/07/2022
C313boro

Incorporated statement

Land	Incorporated Document
None specified	

53.1611/04/2019
VC156**PIG FARM****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.

53.16-121/09/2018
VC150**Application**

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.

53.16-204/05/2022
VC210**Exemption from notice and review**

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

21/09/2018
VC150

Decision guidelines

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

14/12/2023
VC253

RESIDENTIAL AGED CARE FACILITY

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 or small second dwellings.

53.17-1

25/02/2025
VC257

Application

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, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

53.17-2

26/10/2018
VC152

Application requirements

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

25/02/2025
VC257

Development requirements

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.

In the Housing Choice and Transport Zone the maximum building height must not exceed:

- 21.5 metres for land shown on a planning scheme map as **HCTZ1**.
- 16 metres for land shown on a planning scheme map as **HCTZ2**.

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	Front walls of new development fronting the side street of a corner site should be setback at

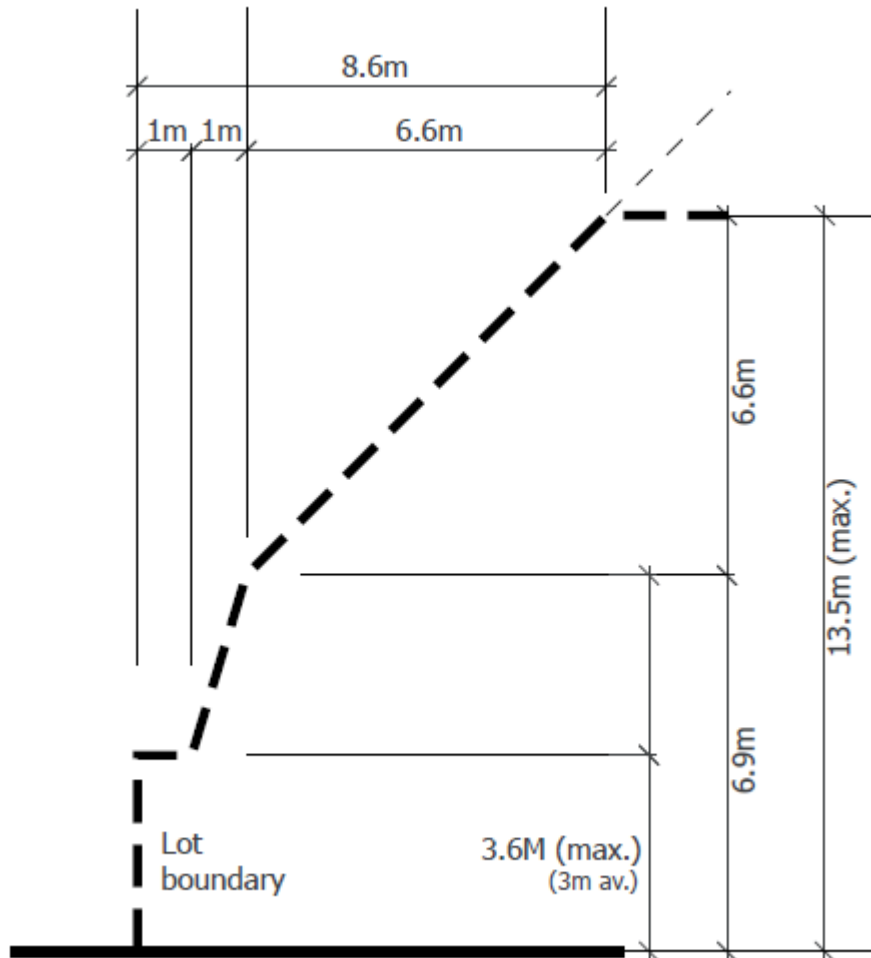
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	least the same distance as the setback of the front wall of any existing building on the abutting 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 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.

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.

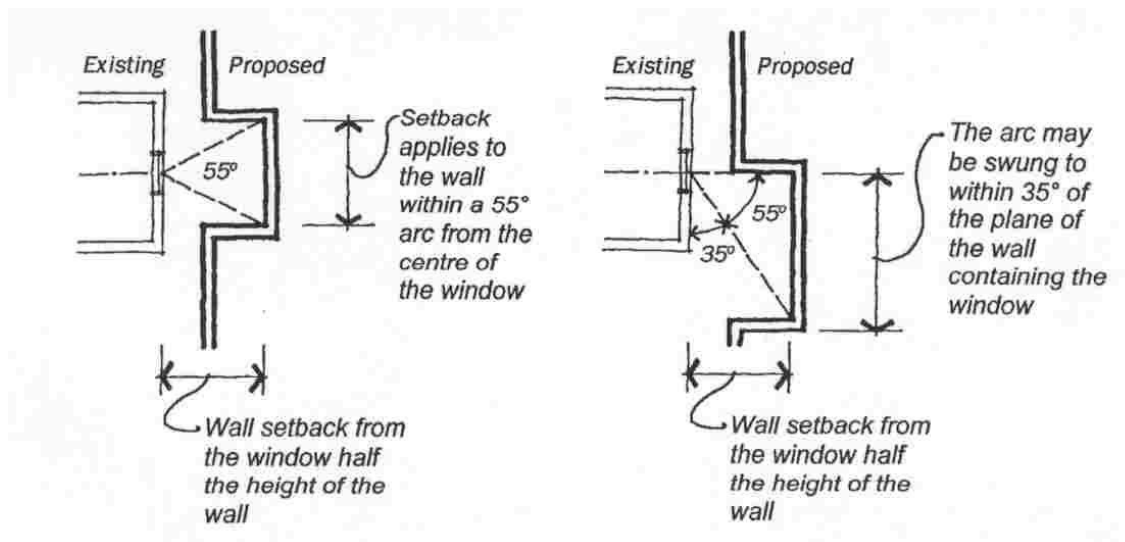
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

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.

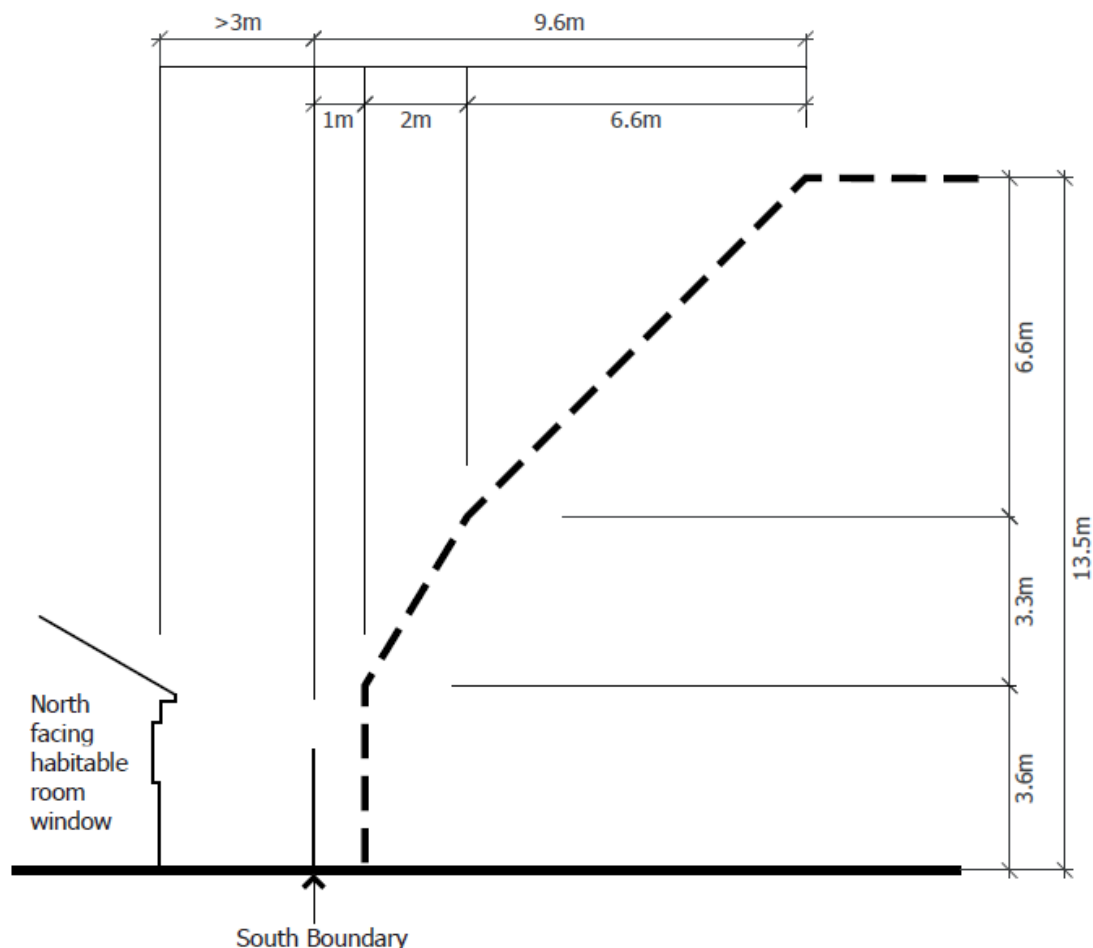
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the 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 or small second 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 or small second 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 or small second 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 or small second 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 or small second 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 or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

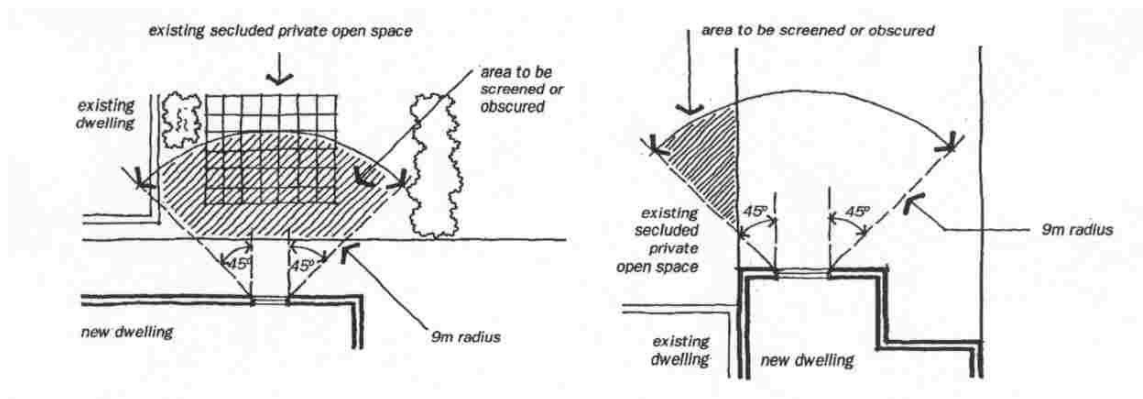
- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres 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 or small second 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

14/12/2023
VC253

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.
- 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 or small second 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

26/10/2018
VC154

STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

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

28/10/2022
VC224

Application

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

26/10/2018
VC154

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 solution meets the objective, the alternative solution may be considered.

53.18-3

26/10/2018
VC154

Requirements

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

03/02/2022
VC199

Stormwater management objectives for subdivision

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 $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (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.

53.18-5

26/10/2018
VC154

Stormwater management objectives for buildings and works

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

26/10/2018
VC154

Site management objectives

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

26/10/2018
VC154

Decision guidelines

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

03/12/2019
VC165

NON-GOVERNMENT SCHOOLS

Purpose

To facilitate new non-government schools.

To facilitate upgrades and extensions to existing non-government schools.

53.19-1

04/12/2020
VC180

Application

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

04/12/2020
VC180

Exemption from review

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

04/12/2020
VC180

Transitional provisions

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.

53.2014/12/2023
VC253**HOUSING BY OR ON BEHALF OF HOMES VICTORIA****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 or small second dwellings.

53.20-104/07/2025
VC258**Application**

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.

This clause does not apply to an application that meets the requirements of clause 53.23-1.

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*.

53.20-214/12/2023
VC258**Operation**

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 or small second dwelling on the site or on an adjacent site.

53.20-331/03/2025
VC267**Exemption from planning scheme provisions**

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, 57 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

20/12/2021
VC207

Exemption from notice and review

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

20/03/2023
VC229

Application requirements

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

01/01/2024
VC250

Development standards

53.20-6.1

Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity.

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.	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.

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.	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.

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 or small second 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 or small second 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 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 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

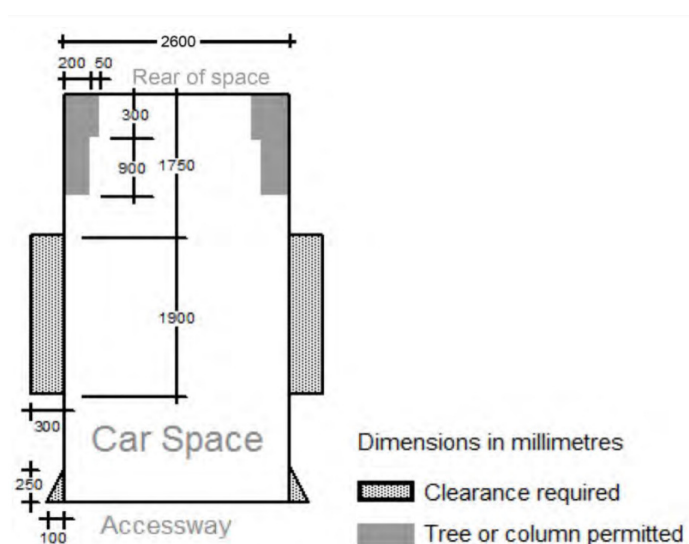
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

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 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 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 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 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.

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 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.

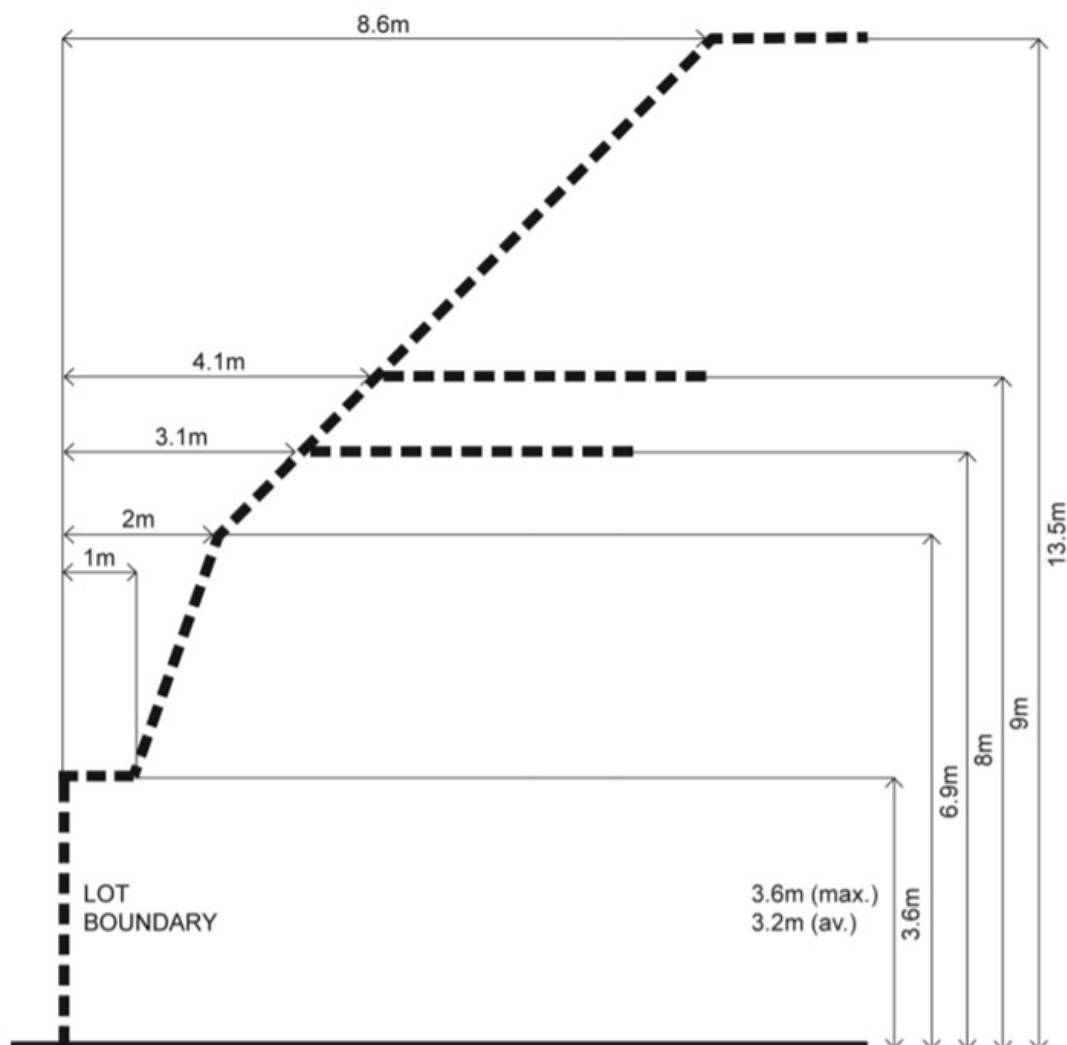
53.20-6.10 Side and rear setbacks

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.

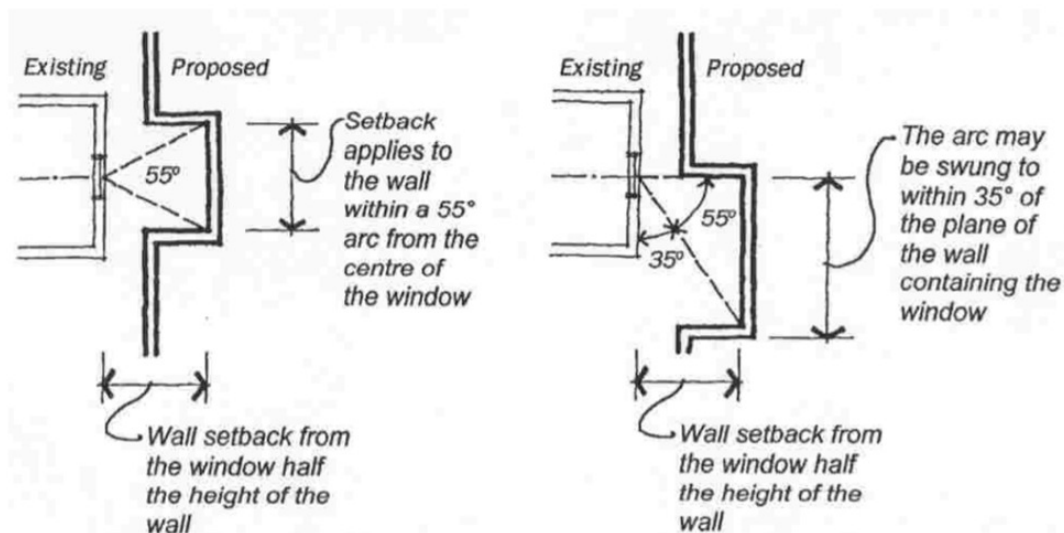
53.20-6.12 Daylight to existing windows

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.

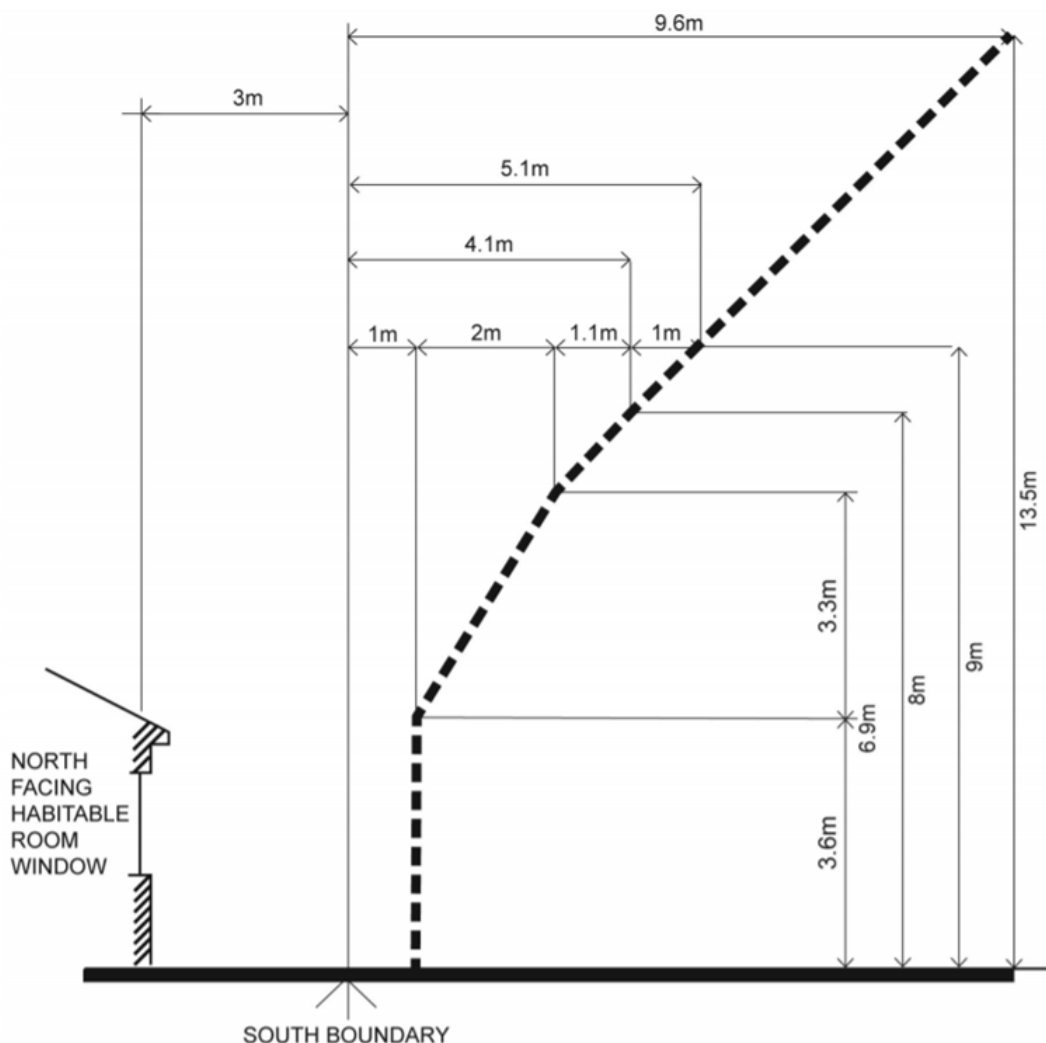
Diagram 3 Daylight to existing windows



53.20-6.13 North-facing windows

If a north-facing habitable room window of an existing dwelling or a small second 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 or small second 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 or small second 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 or small second 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 an existing dwelling or small second 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.

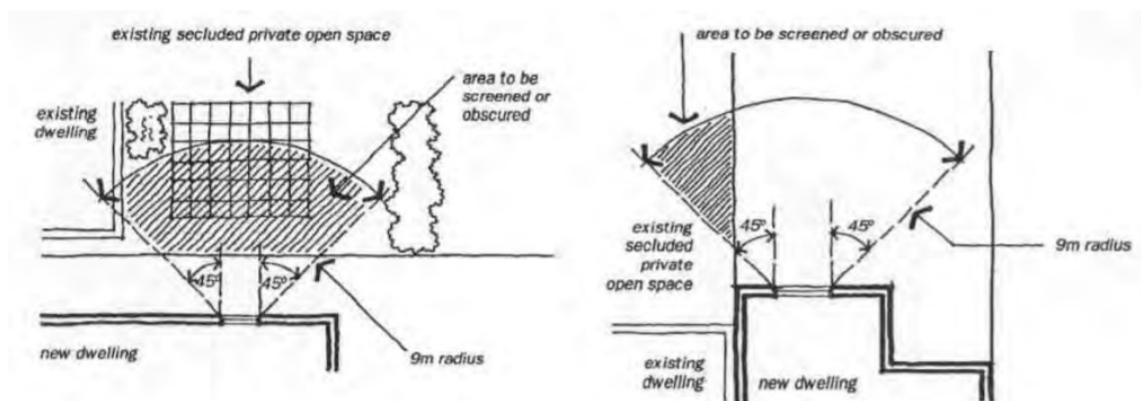
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 or small second 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.

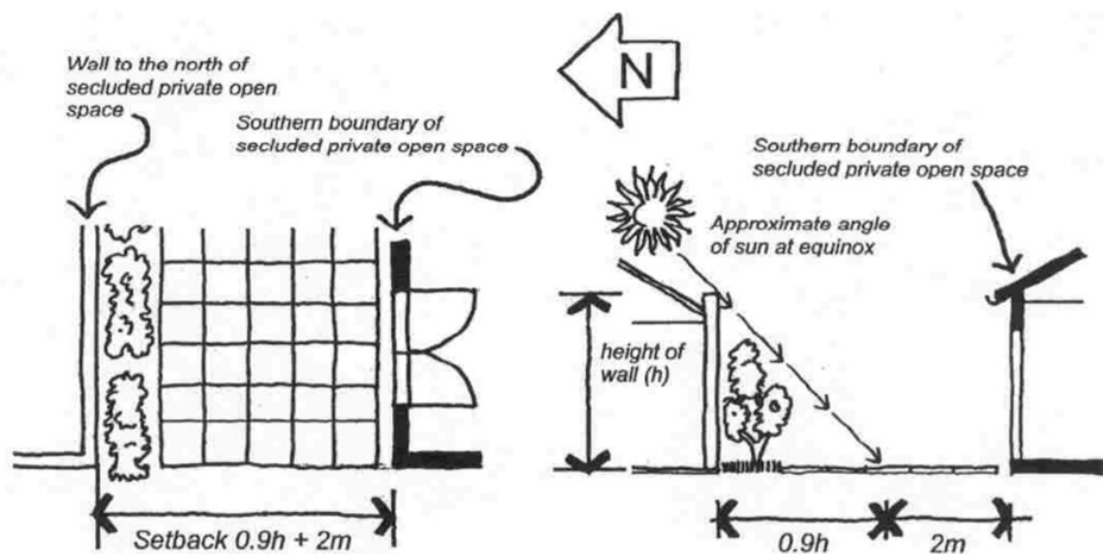
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

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

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Development standards for apartments

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 or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second 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 or small second 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:

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- 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
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 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 or small second 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 or small second 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 or small second 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

20/03/2023
VC229

Transitional provision

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

14/12/2023
VC253

Decision guidelines

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 or small second dwellings of varying the standard.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

53.21

17/02/2022
VC200

STATE TRANSPORT PROJECTS

Purpose

To facilitate the delivery of transport projects carried out by or on behalf of the State of Victoria.

53.21-1

20/03/2023
VC229

Application

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

17/02/2022
VC200

Exemption from review

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.

53.2220/09/2023
VC242**SIGNIFICANT ECONOMIC DEVELOPMENT****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.

53.22-104/07/2025
VC258**Application**

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 the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The conditions corresponding to a category in Table 1 are met.

This clause does not apply to an application to subdivide land, other than an application to subdivide land that includes either:

- A renewable energy facility; or
- A utility installation used to:
 - Transmit or distribute electricity; or
 - Store electricity if the installed capacity is 1 megawatt or greater.

In this clause, *Invest Victoria* means the body called 'Invest Victoria', established as an Administrative Office in relation to the Department of Jobs, Skills, Industry and Regions under an Order made under section 11 of the *Public Administration Act 2004*.

Table 1

Category	Condition
Category 1	The application must include a use specified in Table 2 and the conditions 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 conditions, except where the application includes an energy generation facility or transport terminal, in which case all conditions corresponding to those uses must be met. The application must not include a use that requires a permit if that use is not specified in Table 2. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria. This does not apply to an application for the use or development of land for an energy

Category	Condition
	generation facility, renewable energy facility, transport terminal, utility installation or warehouse (fuel depot).
Category 2	The application must include a use specified in Table 2. The conditions corresponding to that use do not need to be met. The application may also include a use that is not specified in Table 2. The proposed use or development must 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, the Commonwealth or a public authority; or - carried out on Crown land.
Category 3	The application must include a use specified in Table 2. The conditions corresponding to that use do not need to be met. The application may also include a use that is not specified in Table 2. The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land is of significance having regard to the: - Purpose of clause 53.22. - Estimated cost of development. - Extent to which the development supports or implements planning policy. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.

Table 2

Use	Condition
Camping and caravan park	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$10 million if any part of the land is in metropolitan Melbourne. - At least \$5 million if the land is not in metropolitan Melbourne.
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	

BOROONDARA PLANNING SCHEME

Use	Condition
Winery	
Agriculture Data centre Industry Research centre Saleyards	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$20 million if any part of the land is in metropolitan Melbourne. - At least \$10 million if the land is not in metropolitan Melbourne.
Hospital Medical centre Warehouse	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$30 million if any part of the land is in metropolitan Melbourne; or - At least \$10 million if the land is not in metropolitan Melbourne.
Tertiary institution	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$30 million if any part of the land is in metropolitan Melbourne; or - At least \$20 million if the land is not in metropolitan Melbourne.
Transport terminal	Must only be used to transport gas.
Retail premises (other than food and drink premises)	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$100 million if any part of the land is in metropolitan Melbourne; or - At least \$20 million if the land is not in metropolitan Melbourne.
Earth and energy resources industry (other than extractive industry, mining, mineral exploration, petroleum exploration, petroleum production and stone exploration)	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be at least \$30 million to the satisfaction of the Minister for Planning.
Extractive industry	The estimated value of the resource to be extracted must be at least \$30 million to the satisfaction of the Minister for Planning.

Use	Condition
Mining and mineral exploration	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be at least \$10 million to the satisfaction of the Minister for Planning.
Office	Must meet one of the following to the satisfaction of the Minister for Planning: ▪ The combined gross floor area of all buildings (excluding basement and above ground car parking facilities) 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 (excluding basement and above ground car parking facilities) associated with the proposed use or development must be at least 5,000 square metres if the land is not in metropolitan Melbourne.
Renewable energy facility	An installed capacity of 1 megawatt or greater must be proposed.
Energy generation facility	An installed capacity of 1 megawatt or greater must be proposed. Must only be a gas-powered energy generation facility.
Utility installation (other than data centre)	A utility installation used to: ▪ Transmit or distribute electricity; or ▪ Store electricity if the installed capacity is 1 megawatt or greater; or ▪ Transmit or distribute gas. must be proposed.

53.22-2

04/07/2025
VC258

Planning scheme requirements

The responsible authority may waive or vary any of the following:

- Any building height or setback requirement.
- Any 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.

This does not apply to the following:

- A decision that would be inconsistent with an approved Statement of Planning Policy for a declared area; and
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

53.22-3

04/07/2025
VC258

Application requirements

An application must be accompanied by the following information, as appropriate:

- A report or other documents demonstrating the likely feasibility of the development.
- A report prepared by a suitably qualified quantity surveyor which specifies the estimated cost of the development.
- For extractive industry, a report prepared by a suitably qualified person specifying the estimated value of the resource to be extracted.

53.22-4

20/09/2023
VC242

Exemption from review

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

04/07/2025
VC258

Decision guidelines

Before deciding on an application 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

20/09/2023
VC242

Transitional provision

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.

53.2304/07/2025
VC258**SIGNIFICANT RESIDENTIAL DEVELOPMENT WITH AFFORDABLE HOUSING****Purpose**

To facilitate residential development that contributes to the provision of 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.

53.23-104/07/2025
VC258**Application**

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 applicant submits written confirmation that the application is an application to which this clause applies.
- The application includes the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling).
- The conditions corresponding to a category in Table 1 are met.

This clause does not apply to an application to subdivide land.

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*.
- **Invest Victoria** means the body called ‘Invest Victoria’, established as an Administrative Office in relation to the Department of Jobs, Skills, Industry and Regions under an Order made under section 11 of the *Public Administration Act 2004*.

Table 1

Category	Condition
Category 1	The estimated cost of the proposed development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least \$50 million if any part of the land is in metropolitan Melbourne. ▪ At least \$15 million if the land is not in metropolitan Melbourne.

Category	Condition
	The application includes an affordable housing report required under clause 53.23-3 that demonstrates how the affordable housing contribution specified in clause 53.23-4 (being at least 10 per cent of the total number of dwellings in the proposed development provided as affordable housing or an alternative contribution towards the provision of affordable housing) is intended to be provided if a permit is granted. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.
Category 2	The proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) 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, the Commonwealth or a public authority; or ▪ carried out on Crown land. If the application is made by or on behalf of the Chief Executive Officer, Homes Victoria, the proposed development includes at least 10 dwellings.
Category 3	The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) is of significance having regard to: ▪ The purpose of clause 53.23. ▪ Whether a contribution towards affordable housing is proposed. ▪ The estimated cost of the proposed development. ▪ The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities. ▪ Whether the design, liveability and sustainability of the proposed development is exemplary.

Category	Condition
	Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.

53.23-2

04/07/2025
VC258

Planning scheme requirements

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.
- Any 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.

This does not apply to the following:

- A decision that would be inconsistent with an approved Statement of Planning Policy for a declared area; and
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

Clauses 45.09 and 52.06 of this planning scheme do not apply to a use or development proposed in an application where:

- the proposed development will be funded, or partly funded, by the State of Victoria or the Commonwealth; or
- the application is made by or on behalf of the Chief Executive Officer, Homes Victoria.

The provisions of clauses 54.05-2, 55.03-5, 57.03-5 and 58.05-3 of this planning scheme do not apply to:

- an application for a proposed development funded, or partly funded, by the State of Victoria or the Commonwealth; or
- an application made by or on behalf of the Chief Executive Officer, Homes Victoria.

An application for a proposed development that will be funded, or partly funded, by the State of Victoria or the Commonwealth, or an application made by or on behalf of the Chief Executive Officer, Homes Victoria should meet the following standards:

- A minimum 0.6 car parking spaces should be provided to each dwelling. Car parking 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. Car parking for other land uses in the proposed development must be to the satisfaction of the responsible authority.
- 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 per cent of the street frontage.

53.23-3

04/07/2025
VC258

Application requirements

An application must be accompanied by the following information, as appropriate:

- A report prepared by a suitably qualified quantity surveyor which specifies the estimated cost of the proposed development of land for accommodation to the satisfaction of the Minister for Planning.
- A report (affordable housing report) that outlines how a proposed contribution to the provision of affordable housing is intended to be provided should a permit be granted, including the following:
 - The nature of the proposed contribution.
 - The methodology for the delivery of the proposed contribution.
 - The proposed monetary value of the contribution (as a percentage of the estimated cost of the proposed development of land for accommodation).
- If the application includes a non-residential use or development, information about the purpose of the use and the types of activities proposed to be carried out.
- An application for a use or development that will be funded, or partly funded, by Homes Victoria must be accompanied by a letter from the Chief Executive Officer or delegate, Homes Victoria, consenting generally or conditionally to the application being made.
- An application for a use or development that will be funded, or partly funded, by the Commonwealth, must be accompanied by a letter from the Chief Executive Officer, Housing Australia confirming the funding.

53.23-4

04/07/2025
VC258

Permit condition requirement

The responsible authority must include the following condition in deciding to grant a permit:

"Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:

- *At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.*
- *An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.*

The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable)."

The above requirement to include a condition does not apply if any of the following apply:

- The responsible authority is satisfied that an agreement exists with the State of Victoria or a public authority for the provision of at least 10 per cent of the total number of dwellings in the development as affordable housing and:
 - 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
 - the development will be funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or
 - the development will be carried out on Crown land.
- The conditions corresponding to Category 3 in Table 1 are met and a contribution towards affordable housing is not proposed.

53.23-5

20/09/2023
VC242

Exemption from review

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

04/07/2025
VC258

Decision guidelines

Before deciding on an application 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

20/09/2023
VC242

Transitional provision

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.

53.2422/09/2023
VC243**FUTURE HOMES****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.

53.24-128/02/2025
VC274**Application**

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under clause 32.08-7 of the General Residential Zone or clause 32.10-5 of the Housing Choice and Transport 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, Mixed Use Zone or Precinct 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.

53.24-226/09/2023
VC246**Meaning of terms**

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

25/02/2025
VC257

Pre-application referral requirements

If an application under clause 32.08-7 or 32.10-5 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 development 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 development.

If the proposed development requires a permit under a provision of this planning scheme other than clause 32.08-7 of the General Residential Zone or clause 32.10-5 of the Housing Choice and Transport 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 development 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 development.

53.24-4

03/12/2024
VC269

Application requirements

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.
- A landscape plan.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation, levels and easements.
- 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 private open space and habitable room windows of surrounding properties that have an outlook to the site.
- Solar access to the site and adjoining properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The pattern of development of the neighbourhood, including the average street setback for the development site (approximately 150 metres either side).
- 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 features or characteristics of the site and area.

Design response

The design response must address the development standards of clause 53.24 and the principles, objectives, requirements and targets of the *Building future homes adaptation guide* (Department of Transport and Planning, 2023).

Landscape plan

The landscape plan must include:

- The location of significant trees existing on and adjacent to the site and any significant trees removed from the site 12 months prior to the application being made.
- The location and details of proposed vegetation, including canopy trees on the site.
- A planting schedule that demonstrates compliance with the deep soil and canopy cover requirements.
- Details of the soil type, drainage patterns and irrigation system of the site.

53.24-5

31/03/2025
VC267

Exemption from planning scheme requirements

The requirements of clauses 45.09, 52.06 and 52.34 of the planning scheme do not apply to a development under this clause.

An application is exempt from any application requirement in the General Residential Zone or any application requirements specified in a schedule to the General Residential Zone or the Housing Choice and Transport Zone.

An application is exempt from and is not required to meet the requirements of clauses 55, 57 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 or the Housing Choice and Transport Zone.
- Any decision guideline in the General Residential Zone, or a schedule to the General Residential Zone or the Housing Choice and Transport Zone.
- The decision guidelines in clause 65.

53.24-6

25/02/2025
VC257

Exemption from review

An application under clause 32.08-7 or 32.10-5 is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

53.24-7

03/12/2024
VC269

Development standards

A development must meet all of the following development standards.

53.24-7.1

Car parking

Car parking spaces must be provided at:

- a rate of at least 0.6 spaces per dwelling; rounded down to the closest whole number 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).

53.24-7.2 Bicycle parking

Bicycle parking spaces must be provided at a rate of:

- at least 1 space per dwelling for residents.
- at least 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.

53.24-7.3 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.

53.24-7.4 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.

53.24-7.5 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.

53.24-7.6 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.

53.24-7.7 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

53.24-7.8 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

53.24-7.9 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.

53.24-7.10 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.

53.24-7.11 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 natural ventilation. Effective natural ventilation includes cross ventilation, single sided ventilation or mechanically assisted ventilation.

For cross ventilation:

- 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.

53.24-7.12 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 Area of deep soil	Tree in planter	
		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

53.24-803/12/2024
VC269**Decision guidelines**

Before deciding on an application the responsible authority must consider the purpose of this clause.

53.25

07/04/2025
VC280

GREAT DESIGN FAST TRACK

Purpose

To facilitate innovative dwelling, apartment and mixed-use residential development.

To facilitate development that increases the density and diversity of dwellings to respond to Victoria's population growth.

To facilitate the development of dwellings with convenient access to public transport, and community, retail and other services.

To facilitate development that is of a high quality in its design, liveability and sustainability.

53.25-1

07/04/2025
VC280

Application

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 for the development of land, or the use and development of land, (other than the subdivision of land), if all of the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The application includes the construction of at least eight dwellings.
- Any proposed building contains at least two storeys and not more than eight storeys.
- The proposed development achieves a minimum NatHERS rating of:
 - 8.0 stars average, with no individual dwelling less than 6.5 stars for apartment developments.
 - 7.5 stars for all other dwellings.
- Each proposed dwelling provides effective natural ventilation, which includes cross ventilation, single sided ventilation or mechanically assisted ventilation.
- The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) is of significance having regard to:
 - The purpose of clause 53.25.
 - Whether the quality of the design, liveability and sustainability of the proposed development meets the design principles published by the Minister for Planning on the Department's Internet site for the purposes of clause 53.25 ('the design principles').
 - The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities.
- Information demonstrating that the proposed development meets the design principles is provided to the satisfaction of the Minister for Planning. This must include written advice from the Office of the Victorian Government Architect to the satisfaction of the Minister for Planning.
- Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria (Department of Jobs, Skills, Industry and Regions) to the satisfaction of the Minister for Planning.

53.25-2

07/04/2025
VC280

Planning scheme requirements

The responsible authority may waive or vary any of the following in relation to an application or a proposed use or development:

- 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.

A decision to waive or vary any of the matters above does not apply:

- where it would be inconsistent with an approved Statement of Planning Policy for a declared area; or
- to a requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

The responsible authority may waive or vary any of the requirements of clauses 45.09, 52.06 and 52.34 of this planning scheme in relation to an application or a proposed use or development.

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.

Clauses 52.20, 53.20, 53.23 and 53.24 of this planning scheme do not apply to an application to which this clause applies.

53.25-3

07/04/2025
VC280

Application requirements

If the application includes a non-residential use or development, information about the purpose of the use and the types of activities proposed to be carried out must accompany the application, as appropriate.

53.25-4

07/04/2025
VC280

Exemption from review

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 section 82(1) of the Act.

53.25-5

07/04/2025
VC280

Decision guidelines

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.

53.25-6

07/04/2025
VC280

Transitional provision

Clause 53.25 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC280.
- 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 VC280.

ONE DWELLING ON A LOT OR A SMALL SECOND 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

The provisions of this clause apply to an application to:

- Construct a building or construct or carry out works associated with:
 - One dwelling on a lot,
 - A small second dwelling;
- Construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of a Neighbourhood Character Overlay;

in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport 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 one dwelling on a lot.	All of Clause 54 except Clauses 54.03-7 and 54.03-8.
To construct or extend one dwelling on a lot and a small second dwelling.	All of Clause 54 except Clauses 54.02-2, 54.05-3 and 54.06-2.

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 applicable objectives of this clause.
- Should meet all of the applicable standards of this clause.

If a development meets standard A3, A4, A5, A6, A9, A9.1, 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, A9, A9.1, 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 permit is required under the overlay, or 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

16/01/2018
VC142

NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

54.01-1

16/01/2018
VC142

Neighbourhood and site description

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

19/01/2006
VC37

Design response

The design response must explain how the proposed design:

BOROONDARA PLANNING SCHEME

- 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.

54.0219/01/2006
VC37**NEIGHBOURHOOD CHARACTER****54.02-1**19/01/2006
VC37**Neighbourhood character objective**

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.

54.02-219/01/2006
VC37**Integration with the street objective**

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.

54.0315/07/2013
VC100**54.03-1**20/01/2022
VC205**SITE LAYOUT AND BUILDING MASSING****Street setback objective**

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

22/09/2023
VC243

Building height objective

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

15/07/2013
VC100

Site coverage objective

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

15/07/2013
VC100

Permeability objectives

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

14/12/2023
VC253

Energy efficiency protection objectives

To achieve and protect energy efficient dwellings and small second 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 or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second 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 or small second dwelling, if practicable.

A dwelling or small second dwelling 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

19/01/2006
VC37

Significant trees objectives

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.

54.03-7

14/12/2023
VC253

Building setback

To ensure that small second dwellings are sited to respect the existing or preferred neighbourhood character.

Standard A9

Walls of a small second dwelling should be set back behind the front wall of the existing dwelling on the lot, facing the frontage.

Porches, pergolas, verandahs, and eaves should not encroach into the setback of this standard.

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 visual impact of the building when viewed from the street and from adjoining properties.

54.03-8

14/12/2023
VC253

Safety and accessibility

To ensure access to a small second dwelling is safe, convenient and meets the needs of residents.

Standard A9.1

A small second dwelling should be provided with a clear and unobstructed path from the frontage that:

- Has a minimum width of at least 1 metre, with no encroachments. If the path is longer than 30 metres, the path should have a minimum width of at least 1.8 metres.
- Has a minimum clear height of at least 2 metres, with no encroachments.
- Has a gradient no steeper than 1 in 14.
- Has a cross fall no steeper than 1 in 40.
- Is sealed or has an all-weather access.

Decision guidelines

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

BOROONDARA PLANNING SCHEME

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The safety and accessibility of the small second dwelling.

54.0410/12/2013
VC99**54.04-1**14/12/2023
VC253**AMENITY IMPACTS****Side and rear setbacks objective**

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 or small second dwellings.

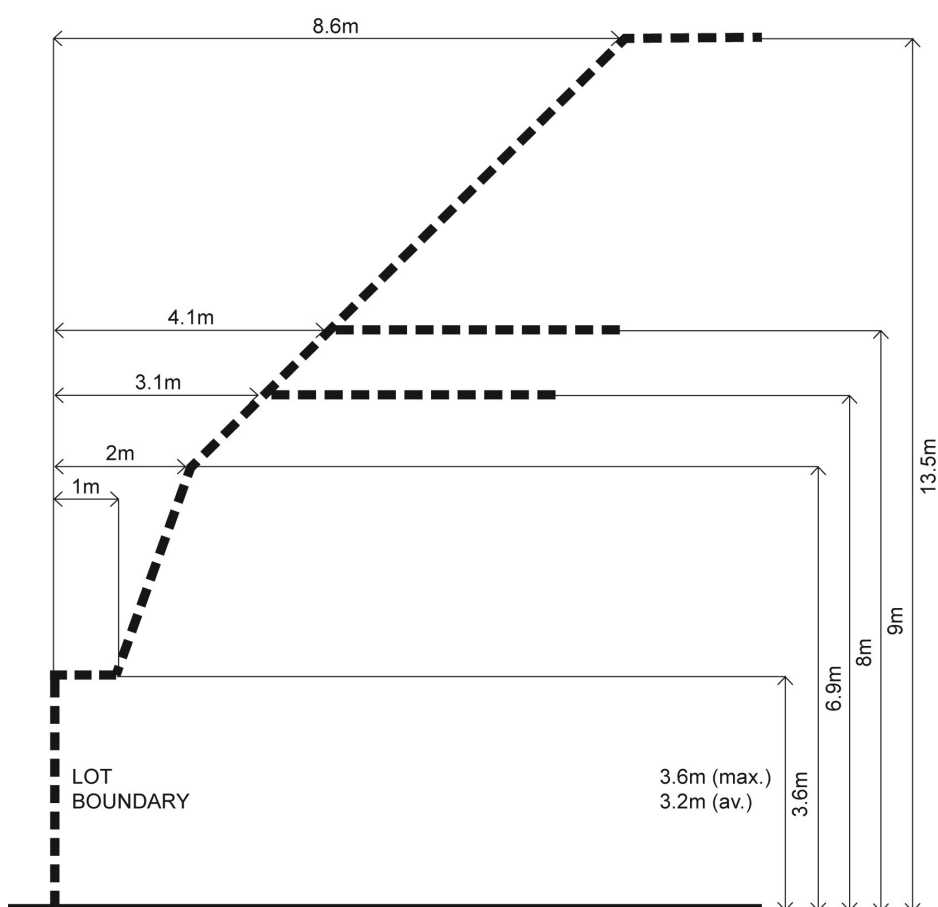
Standard A10

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 or small second 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

14/12/2023
VC253

Walls on boundaries objective

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 or small second 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 or small second 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

14/12/2023
VC253

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

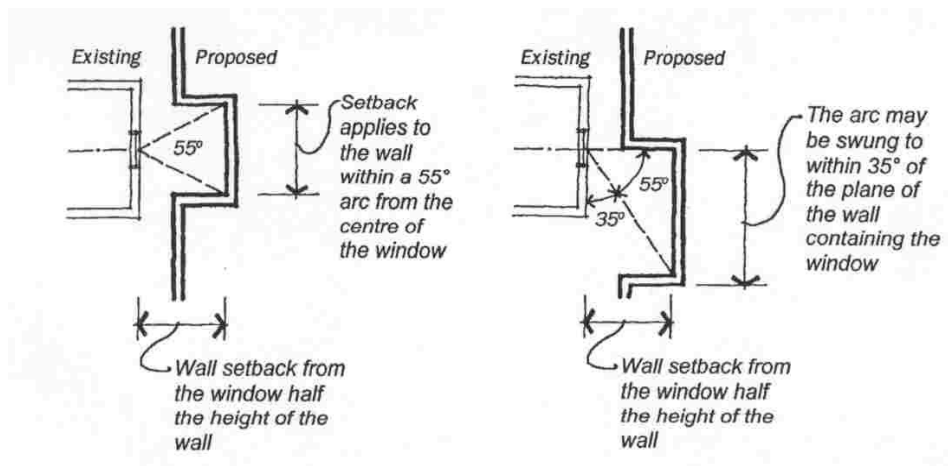
Standard A12

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 or small second 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 or small second dwellings.

54.04-4

14/12/2023
VC253

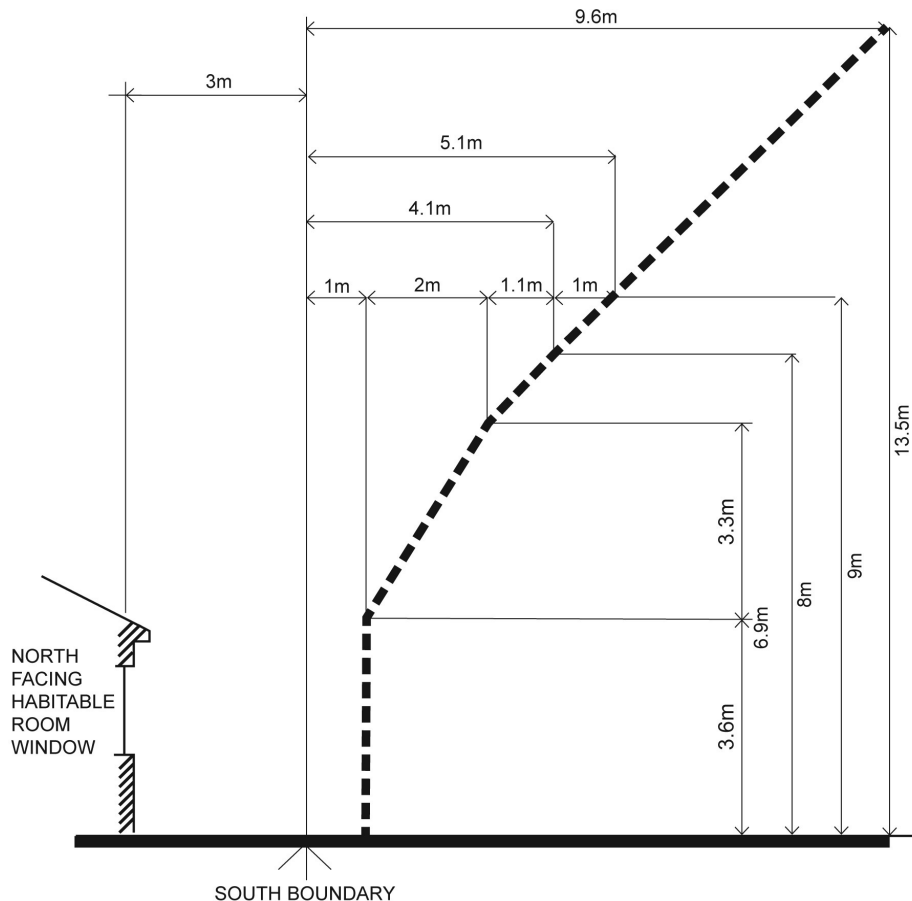
North-facing windows objective

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 or small second 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 or small second dwelling.
- The impact on the amenity of existing dwellings or small second dwellings.

54.04-5

14/12/2023
VC253

Overshadowing open space objective

To ensure buildings do not unreasonably overshadow existing secluded private open space of dwellings or small second dwellings.

Standard A14

Where sunlight to the secluded private open space of an existing dwelling or small second 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 or small second 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 or small second dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling or small second dwellings.
- The time of day that sunlight is available to the secluded private open space of the existing dwelling or small second dwellings.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

54.04-6

14/12/2023
VC253

Overlooking objective

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 or small second 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 an existing dwelling or small second 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.

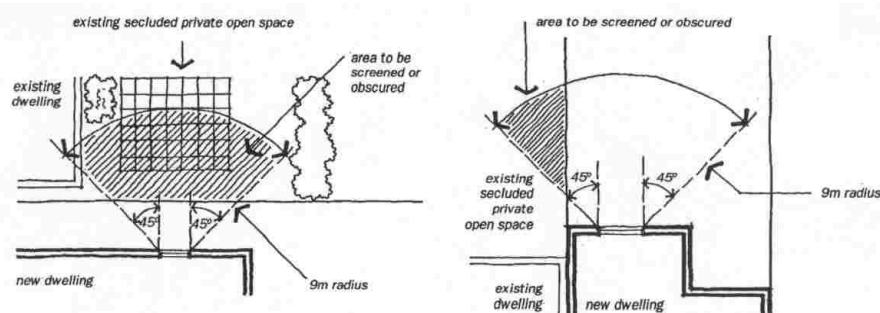
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 or small second dwellings.
- The internal daylight to and amenity of the proposed dwelling or small second dwelling.

54.0515/07/2013
VC100**54.05-1**19/01/2006
VC37**ON-SITE AMENITY AND FACILITIES****Daylight to new windows objective**

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.

54.05-214/12/2023
VC253**Private open space objective**

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.

A dwelling with a small second dwelling on the same lot 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 with a small second dwelling on the same lot should have secluded private open space consisting of an 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.

A small second dwelling should have a secluded private open space consisting of an area of 8 square metres with a minimum dimension of 1.6 metres and 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

19/01/2006
VC37

Solar access to open space objective

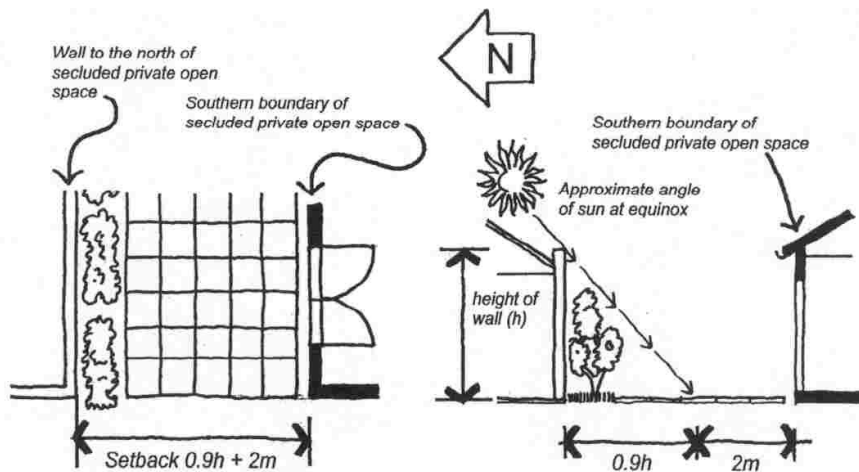
To allow solar access into the secluded private open space of a new dwelling.

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.

54.0615/07/2013
VC100**54.06-1**19/01/2006
VC37**DETAILED DESIGN****Design detail objective**

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.

54.06-222/09/2023
VC243**Front fences objective**

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.

BOROONDARA PLANNING SCHEME

- 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.

TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS**Purpose**

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

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that responds to the site and the surrounding area.

Application

Provisions in this clause apply to an application to the classes of applications specified in clauses:

- 32.04-7, Mixed Use Zone,
- 32.05-8, Township Zone,
- 32.07-6, Residential Growth Zone,
- 32.08-7, General Residential Zone,
- 32.09-7, Neighbourhood Residential Zone,
- 32.10-5, Housing Choice and Transport Zone.

The objective contained in clause 55.03-1 does not apply to a development of less than 10 dwellings.

The objective contained in clause 55.05-3 does not apply to an apartment development or residential building.

The objectives contained in clauses 55.03-12 and 55.05-7 do not apply to the construction or extension of:

- A dwelling that is not in, or does not form part of, an apartment development; or
- A residential building.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the corresponding objective.

If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard 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 standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard 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 standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

- **Decision guidelines.** If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

Requirements

A development must meet all of the applicable objectives contained in this clause.

If a development meets a standard:

- The corresponding objective is deemed to be met;
- The responsible authority is not required to consider the corresponding decision guidelines.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Exemptions

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:

- The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.
- The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.
- The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

An application to which this clause applies is exempt from the requirements of:

- Section 60(1)(b), (e), (f), (1A) and (1B) of the Act; and
- Section 84B(2)(b) to (jb) of the Act.

55.01

31/03/2025
VC267

APPLICATION REQUIREMENTS

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

55.01-1

31/03/2025
VC267

Site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- The built form, scale and character of surrounding development including front fencing.
- 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 existing trees 5 metres in height or greater, with a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, on the site.
- Any cut and filled areas of soil, where known.
- Street frontage features such as poles, services, street trees and kerb crossovers.
- The location of any existing domestic solar energy system on the roof of a dwelling, apartment development or residential building on surrounding properties.

If in the opinion of the responsible authority a requirement of the site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

55.01-2

31/03/2025
VC267

Design response

The design response must explain how the proposed design derives from and responds to the site description.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

The design response must include a landscape plan that details the proposed:

- Retention and planting of canopy trees,
- Planting of other vegetation including location, species, number and size at maturity of vegetation,
- Where required, areas of deep soil and root barriers,
- Irrigation system to support existing and planted vegetation including details of any alternative water supply sources,
- Selection of vegetation that responds to the site's environment and geographic factors,
- A plan showing the location of site services, clothes drying and storage.

BOROONDARA PLANNING SCHEME

If in the opinion of the responsible authority a design response requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

55.0231/03/2025
VC267**55.02-1**31/03/2025
VC267**NEIGHBOURHOOD CHARACTER****Street setback objectives**

To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.

Standard B2-1

Walls of buildings are set back from streets:

- At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or
- If no distance is specified in a schedule to the zone, the distance specified in Table B2-1.

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 B2-1 Street setback

Development context	Minimum setback from front street	Minimum setback from a side street
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 lesser front wall setback of the existing buildings on the abutting allotments facing the front street or 6 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 6 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 6 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 are 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 are setback the same distance as the setback of the front wall of any existing

Development context	Minimum setback from front street	Minimum setback from a side street
		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 the siting of the building is constrained by the shape, dimensions, slope or other conditions of the site.
- 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.
- Whether a different setback affects the ability to retain or plant canopy trees.

55.02-2

31/03/2025
VC267

Building height objective

To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

Standard B2-2

The maximum building height does 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 does 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 does 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.

55.02-3

02/04/2025
VC276

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

Standard B2-3

A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.

Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:

- B2-3.1:
The building is set back at least 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.
- B2-3.2:
If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.
If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

Sunblinds, verandahs, porches, eaves, facias, 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 side and rear setbacks.

Landings that have 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 side and rear setbacks.

Diagram B2-3.1 Side and rear setbacks

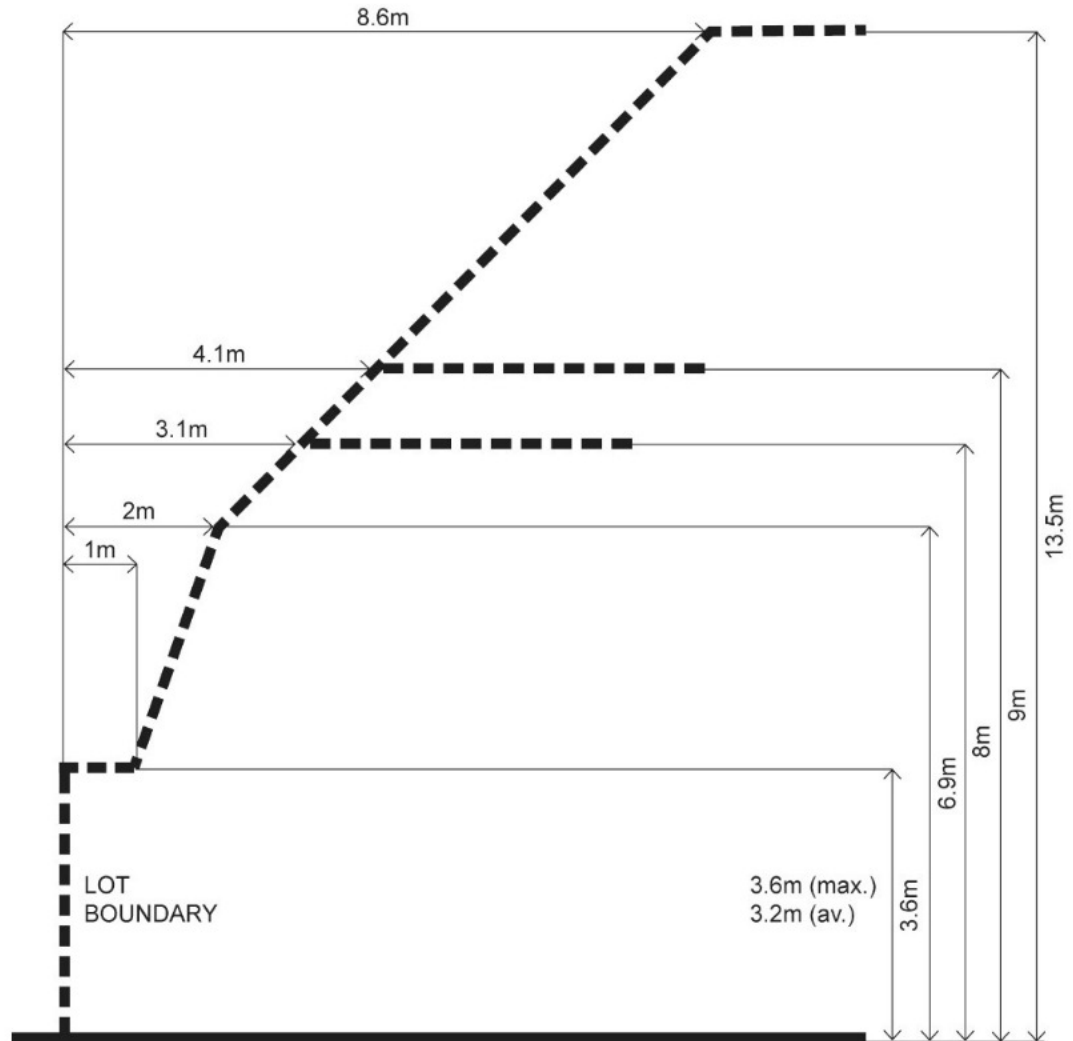
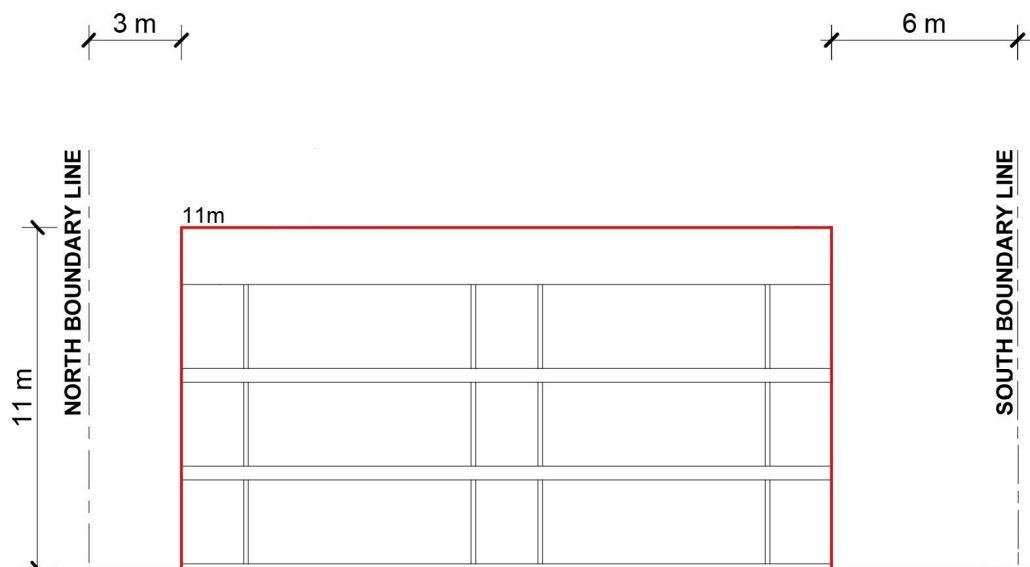


Diagram B2-3.2 Side and rear setbacks



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 private open space of existing dwellings or small second 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.
- Whether a different setback in a rear yard affects the ability to retain or plant canopy trees.

55.02-4

31/03/2025
VC267

Walls on boundaries objectives

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard B2-4

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 does not abut the boundary for a length that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

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 does 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 or small second 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.

55.02-531/03/2025
VC267**Site coverage objective**

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Standard B2-5

The site area covered by buildings does 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, the percentage specified in Table B2-5.

If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.

Table B2-5 Site coverage

Zone	Area
Neighbourhood Residential Zone	60 per cent
Township Zone	
General Residential Zone	65 per cent
Residential Growth Zone	70 per cent
Mixed Use Zone	
Housing Choice and Transport 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.
- 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.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

55.02-631/03/2025
VC267**Access objective**

To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Standard B2-6

The width of accessways or car spaces (other than to a rear lane) does not exceed:

- 33 per cent of the street frontage; or
- 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.

The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 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 reduction of on-street car parking spaces.
- Whether a different accessway width, number of access points or encroachment of an existing tree affects the ability to retain or plant canopy trees on the site or footpath.

55.02-7

31/03/2025
VC267

Tree canopy objectives

To provide tree canopy that responds to the neighbourhood character 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 new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

Standard B2-7

Provide a minimum canopy cover as specified in Table B2-7.1.

Table B2-7.1 Canopy cover

Site area	Canopy cover
1000 square metres or less	10% of site area
More than 1000 square metres	20% of site area

Existing trees to be retained meet all of the following:

- Has a height of at least 5 metres,
- Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
- Has a trunk that is located at least 4 metres from proposed buildings.

The minimum canopy cover is met using any combination of trees specified in Table B2-7.2.

Existing trees that are retained can be used in calculating canopy cover.

Table B2-7.2 Tree type, canopy cover, deep soil and planter requirements

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
A	4 metres	6 metres	12.6 sqm	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
B	8 metres	8 metres	50.3 sqm	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	12 metres	12 metres	113.1 sqm	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metre

Provide at least one new or retained tree in the front setback and the rear setback.

Trees are located in either:

- An area of deep soil as specified in Table B2-7.2; or
- A planter as specified in Table B2-7.2.

Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.

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 site context and design response.
- The extent to which the existing and proposed canopy trees contribute to a greener environment and reduce urban heat.
- Whether the growth characteristics of existing trees and proposed canopy trees will provide the required canopy cover.
- The suitability of the planting location, deep soil areas and planter soil volume for proposed canopy trees.
- Whether the species of canopy tree is suited to the soil conditions of the site.

55.02-8

31/03/2025
VC267

Front fences objective

To encourage front fence design that responds to the existing or preferred neighbourhood character.

Standard B2-8

A front fence within 3 metres of a street is:

- 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 B2-8.

Table B2-8 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.

55.03

31/03/2025
VC267

LIVEABILITY

55.03-1

31/03/2025
VC267

Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3-1

Developments include at least:

- One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.
- One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.
- One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the development provides a range of dwelling sizes and types to meet diverse household needs.

55.03-2

31/03/2025
VC267

Parking location objective

To minimise the impact of vehicular noise within developments on residents.

Standard B3-2

Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:

- 1.5 metres; or
- If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or
- 1 metre where window sills are at least 1.5 metres above ground level.

This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.

Decision guidelines

Before deciding on an application, the responsible authority must consider the design response.

55.03-3

31/03/2025
VC267

Street integration objective

To integrate the layout of development with the street to support the safety and amenity of residents.

Standard B3-3

Where a development fronts a street, a vehicle accessway or abuts public open space:

- Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.
- The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.

Lighting is provided to all external accessways and paths.

Mailboxes are provided for each dwelling and can be communally located.

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.

55.03-4

31/03/2025
VC267

Entry objectives

To provide each dwelling, apartment development or residential building with its own sense of identity.

To provide entries with weather protection, safe design, natural light and ventilation.

Standard B3-4

Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings

Each dwelling and each residential building has a ground level entry door that:

- Has a direct line of sight from a street, accessway or shared walkway.
- Is not accessed through a garage.
- Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.

Apartment development and residential building with a shared entry

An apartment development and each residential building has:

- A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.
- An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.
- Shared corridors and common areas have at least one source of natural light and natural ventilation.

Decision guidelines

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

- Whether the entry is visible and easily identifiable from streets and other public areas.
- Whether the entry provides shelter, a sense of address and a transitional space around the entry.

55.03-5

31/03/2025
VC267

Private open space objectives

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B3-5

A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or
- A balcony with at least the area and dimensions specified in Table B3-5; or

- An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.

If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;

- The area and dimensions specified in the schedule must be 25 square metres or less; and
- The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.

If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.

Where ground level private open space is provided an area for clothes drying is provided.

Table B3-5 Private open space for a balcony

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 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 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.

55.03-6

31/03/2025
VC267

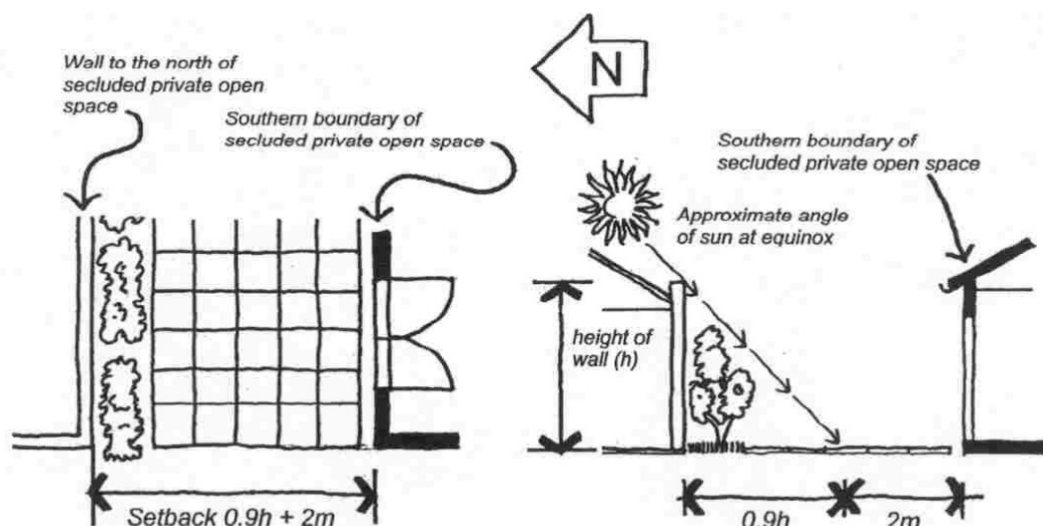
Solar access to open space objective

To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard B3-6

The southern boundary of secluded private open space is 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 B3-6 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.

55.03-7

02/04/2025
VC276

Functional layout objective

To ensure dwellings provide functional areas that meet the needs of residents.

Standard B3-7

Bedrooms:

- Meet the minimum internal room dimensions specified in Table B3-7.1; and
- Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.

Table B3-7.1 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) meet the minimum internal room dimensions specified in Table B3-7.2.

Table B3-7.2 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 guideline

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

- The design response.
- The useability and amenity of habitable rooms.

55.03-8

31/03/2025
VC267

Room depth objective

To allow adequate daylight into single aspect habitable rooms.

Standard B3-8

The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.

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; and
- The kitchen is located furthest from the window; and
- 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; and
- An overhang extends no more than 2m beyond the window of the single aspect habitable room.

In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.

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 the layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

55.03-9

31/03/2025
VC267

Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard B3-9

Dwelling (other than a dwelling in or forming part of an apartment development)

A window in an external wall of the building is provided to all habitable rooms.

Habitable rooms in a dwelling have a window that faces:

- 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.

Dwelling in or forming part of an apartment development

A window in an external wall of the building is provided to all habitable rooms.

Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.
- A window clear to the sky.

Decision guidelines

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

- The design response.
- The extent to which habitable rooms are 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.
- Whether there are other windows in the habitable room which have access to daylight.

55.03-10

31/03/2025
VC267

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard B3-10**Dwelling (other than a dwelling in or forming part of an apartment development)**

Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- 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 size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Dwelling in or forming part of an apartment development

At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- 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 size.

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 and layout of the dwelling maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and site context.

55.03-11

31/03/2025
VC267

Storage objective

To provide adequate storage facilities for each dwelling.

Standard B3-11

Dwelling (other than a dwelling in or forming part of an apartment development)

Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.

Dwelling in or forming part of an apartment development

Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.

Table B3-11 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.

55.03-12

31/03/2025
VC267

Accessibility for apartment developments objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B3-12

At least 50 per cent of dwellings in or forming part of an apartment development 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 B3-12.

Table B3-12 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.

55.04

31/03/2025
VC267

55.04-1

31/03/2025
VC267

EXTERNAL AMENITY

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

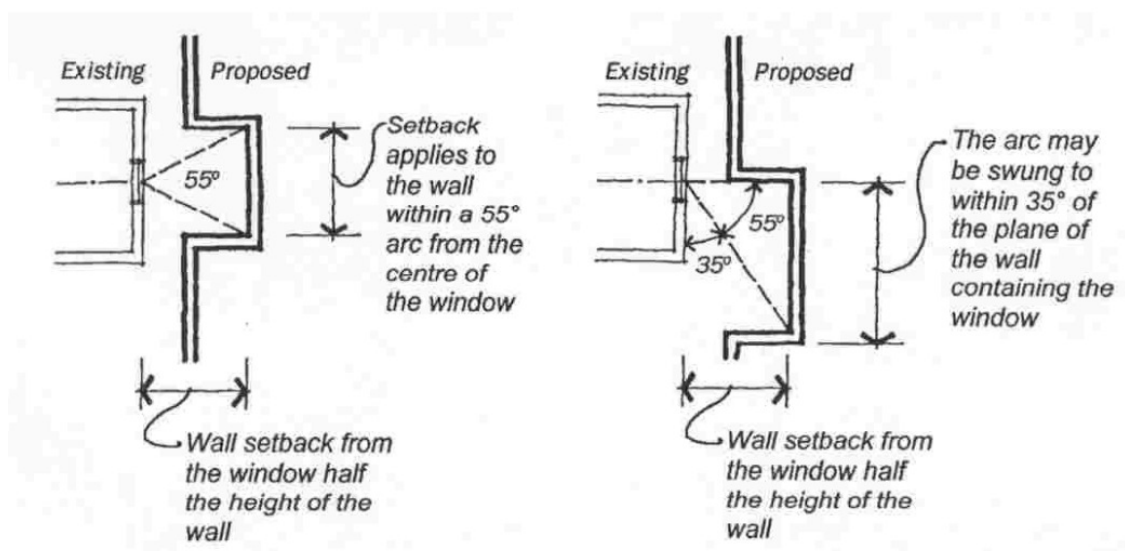
Standard B4-1

Buildings opposite an existing habitable room window 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 are 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 B4-1 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 or small second 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 or small second dwellings.

55.04-2

02/04/2025
VC276

Existing north-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard B4-2

Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:

- A new building is to be set back from the boundary by at least 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. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.
- For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.

For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.

Diagram B4-2.1 North-facing windows

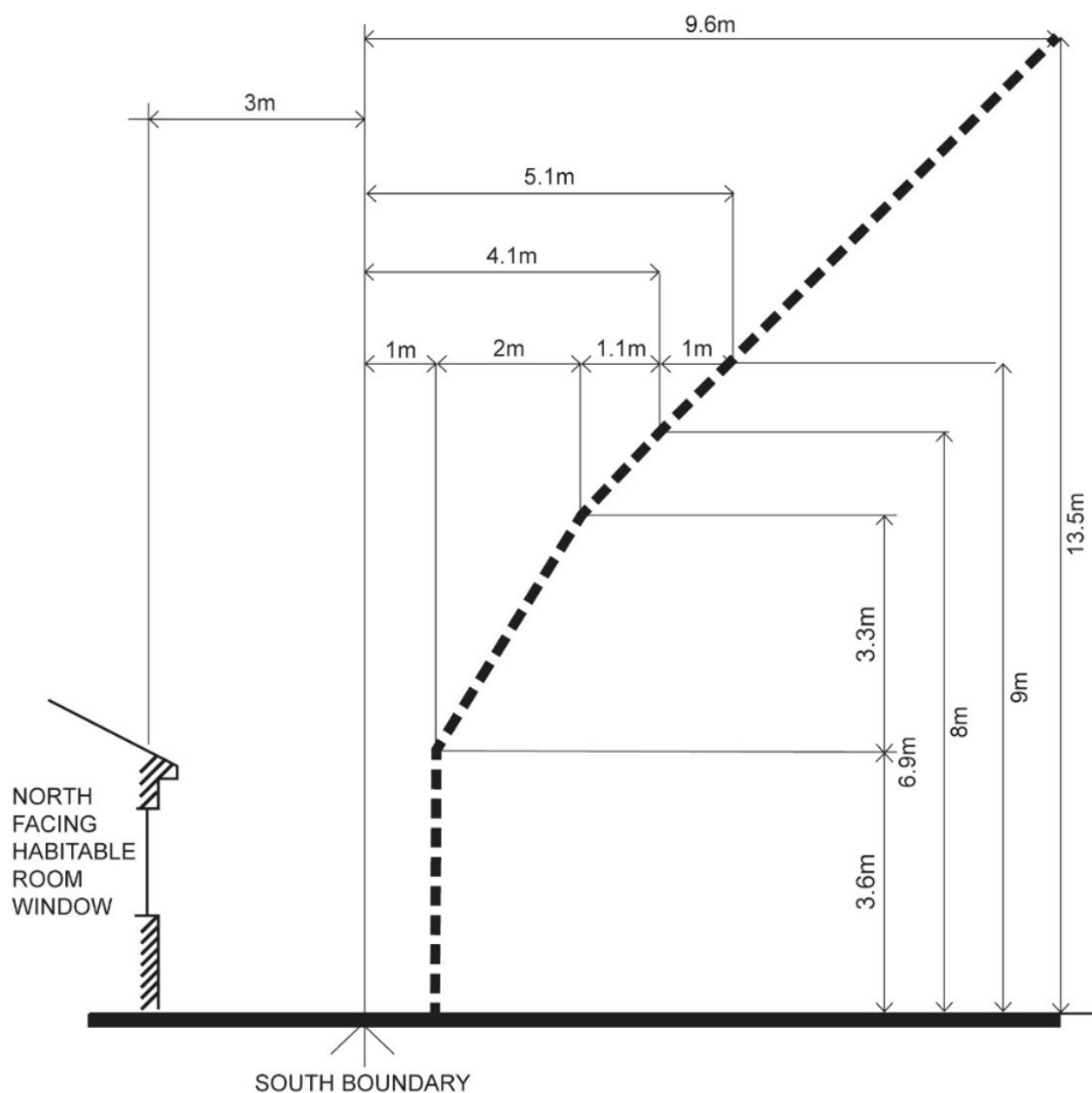
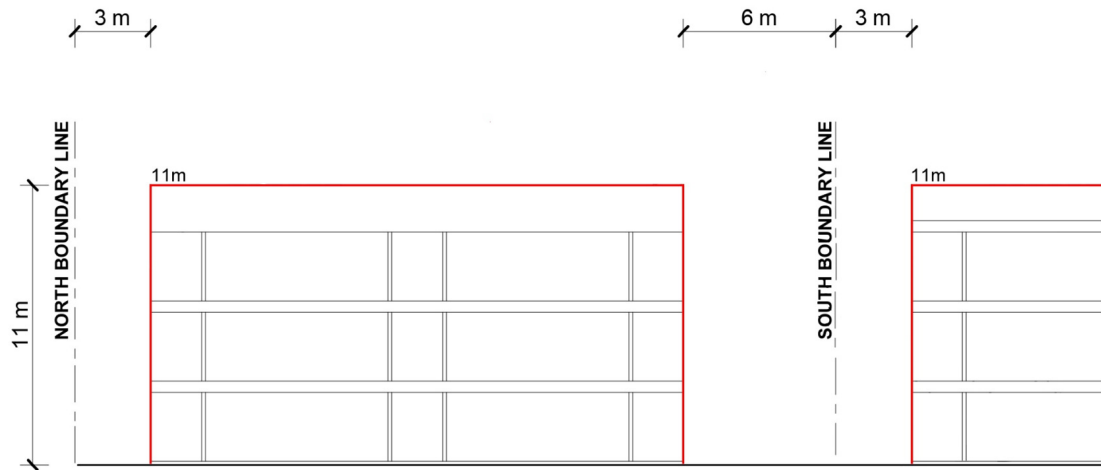


Diagram B4-2.2 North-facing windows



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 or small second dwelling.
- The impact on the amenity of existing dwellings or small second dwellings.

55.04-3

02/04/2025
VC276

Overshadowing secluded open space objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B4-3

The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will 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 or small second dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling or small second dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling or small second dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

55.04-4

31/03/2025
VC267

Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

Standard B4-4

In Clause 55.04-4 a habitable room does not include a bedroom.

A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are 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 that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

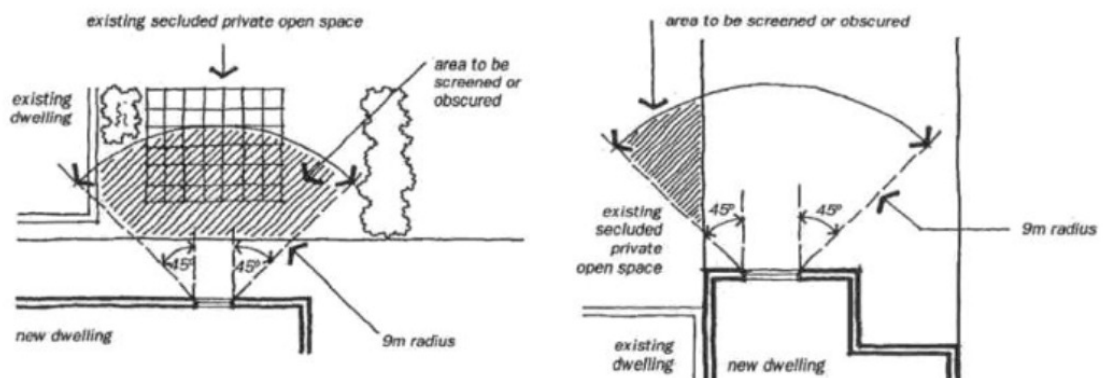
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view are:

- 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 B4-4 Overlooking



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 or small second dwellings.
- The internal daylight to and amenity of the proposed dwelling, residential building or small second dwelling.

55.04-5

31/03/2025
VC267

Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B4-5

In Clause 55.04-5 a habitable room does not include a bedroom.

Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:

- Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or
- Has a sill height of at least 1.7 metres above floor level; or
- Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

Direct views are measured at a height of 1.7 metres above floor level and within:

- A 45 degree horizontal angle from the edge of the new window or balcony.
- A 45 degree angle in the downward direction.

Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.0531/03/2025
VC267**55.05-1**31/03/2025
VC267**SUSTAINABILITY****Permeability and stormwater management objective**

To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To contribute to urban cooling.

Standard B5-1

The site area covered by the pervious surfaces is at least 20 percent of the site.

The development includes a stormwater management system designed to:

- Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:
 - Suspended solids 80% reduction in mean annual load.
 - Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
 - Litter 70% reduction of mean annual load.

Note:

A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective - Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.

- Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.

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.

55.05-231/03/2025
VC267**Overshadowing domestic solar energy systems objective**

To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

Standard B5-2

Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.

In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the domestic solar energy system has been sited to optimise efficiency and protection from overshadowing.

55.05-3

31/03/2025
VC267

Rooftop solar energy generation area objective

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

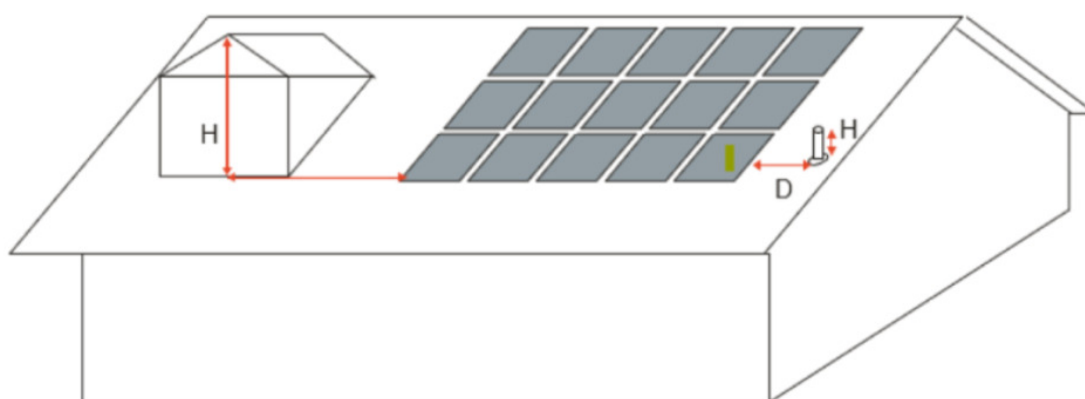
Standard B5-3

In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:

- Has a minimum dimension of 1.7 metres.
- Has a minimum area in accordance with Table B5-3.
- Is oriented to the north, west or east.
- Is positioned on the top two thirds of a pitched roof.
- Can be a contiguous area or multiple smaller areas.
- Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Diagram B5-3 Allowable distance between obstructions and the rooftop solar energy area



Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

Table B5-3 Minimum rooftop solar energy generation area

Number of bedrooms	Minimum roof area
1 bedroom dwelling	15 square metres
2 or 3 bedroom dwelling	26 square metres

Number of bedrooms	Minimum roof area
4 or more bedroom dwelling	34 square metres

This standard does not apply to apartments and residential buildings.

Decision guidelines

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

- The design response.
- The size and orientation of the building.
- The availability of solar access to the rooftop.
- The extent to which the rooftop solar energy generation area is overshadowed by existing buildings, other permanent structures or equipment on the rooftop.

55.05-4

31/03/2025
VC267

Solar protection to new north-facing windows objective

To encourage external shading of north facing windows to minimise summer heat gain.

Standard B5-4

North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.

Decision Guidelines

Before deciding on an application, the responsible authority considers:

- The design response.
- The size and orientation of the lot.
- The type and useability of external solar shading devices, including alternative design responses.

55.05-5

31/03/2025
VC267

Waste and recycling objectives

To ensure dwellings are designed to facilitate waste recycling.

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Standard B5-5

Dwelling (other than a dwelling in or forming part of an apartment development)

The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.

Table B5-5.1 Bin storage

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Individual bin storage area for a dwelling.	1.8 square metres	0.8 metre	1.8 metres

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Shared bin storage area for 3 dwellings or less.	5.4 square metres	0.8 metre	1.8 metres
Shared bin storage area for 4 or more dwellings.	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres

If the development includes a shared bin storage area:

- The shared bin storage area:
 - Is located within 40 metres of a kerbside collection point.
 - Includes a tap for bin washing.
- There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.

Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Dwelling in or forming part of an apartment development

The development includes a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.

Table B5-5.2 Apartment bin storage

Number of dwellings	Minimum area	Minimum depth	Minimum height
15 or less dwellings	0.7 square metres per dwelling in a shared waste storage area	0.8 metres	2.7 metres
16 to 55 dwellings	0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area.	1 metre	2.7 metres
56 or more dwellings	0.5 square metres per dwelling in a shared waste storage area.	1 metre	2.7 metres

Enclosed bin storage areas are ventilated by:

- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or
- A mechanical exhaust ventilation system.

A tap and drain is provided to wash bins.

A continuous path of travel is provided from each dwelling to bin storage areas.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Decision guidelines

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

- The design response, including a Waste Management Plan.
- Any relevant waste and recycling objective, policy or statement set out in this planning scheme.
- The functionality and accessibility of waste and recycling facilities, including for people with limited mobility.
- Whether facilities are provided for on-site reuse or management of food and garden organics through composting or other waste recovery.
- Whether waste and recycling facilities are designed to meet the better practice design options specified in Waste management and recycling in multi-unit developments (Sustainability Victoria, 2019).

55.05-6

31/03/2025
VC267

Noise impacts objective

To minimise the impact of mechanical plant noise located in the development.

Standard B5-6

Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

Decision guideline

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

- The design response.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling or small second dwelling and the site context.

55.05-7

31/03/2025
VC267

Energy efficiency for apartment developments objectives

To achieve energy efficient dwellings and buildings.

To ensure dwellings achieve adequate thermal efficiency.

Standard B5-7

Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual 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

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
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 availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

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, Housing Choice and Transport 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.

56.0116/01/2018
VC142**56.01-1**16/01/2018
VC142**SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE****Subdivision site and context description**

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

09/10/2006
VC42

Subdivision design response

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

09/10/2006
VC42

56.02-1

09/10/2006
VC42

POLICY IMPLEMENTATION

Strategic implementation objective

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

19/09/2017
VC132

56.03-1

09/10/2006
VC42

LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives

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

09/10/2006
VC42

Activity centre objective

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.

56.03-320/03/2023
VC229**Planning for community facilities objective**

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.

56.03-409/10/2006
VC42**Built environment objective**

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.

56.03-509/10/2006
VC42**Neighbourhood character objective**

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:

BOROONDARA PLANNING SCHEME

- 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

09/10/2006
VC42

56.04-1

09/10/2006
VC42

LOT DESIGN

Lot diversity and distribution objectives

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

09/10/2006
VC42

Lot area and building envelopes objective

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

09/10/2006
VC42

Solar orientation of lots objective

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

09/10/2006
VC42

Street orientation objective

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

09/10/2006
VC42

Common area objectives

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

01/10/2009
VC58

56.05-1

09/10/2006
VC42

URBAN LANDSCAPE

Integrated urban landscape objectives

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

01/10/2009
VC58

Public open space provision objectives

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

18/06/2010
VC62

ACCESS AND MOBILITY MANAGEMENT

56.06-1

18/06/2010
VC62

Integrated mobility objectives

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

09/10/2006
VC42

Walking and cycling network objectives

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

09/10/2006
VC42

Public transport network objectives

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

14/05/2021
VC198

Neighbourhood street network objective

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

09/10/2006
VC42

Walking and cycling network detail objectives

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

09/10/2006
VC42

Public transport network detail objectives

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

15/09/2008
VC49

Neighbourhood street network detail objective

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.

56.06-818/06/2010
VC62**Lot access objective**

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 volume¹	300vpd
Target speed²	10kph
Carriageway width³ & parking provision within street reservation	5.5m ⁶ wide with no parking spaces to be provided. Appropriately signed.
Verge width⁴	No verge required.
Kerbing⁵	
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 volume¹	300vpd to 1000vpd
Target speed²	15kph
Carriageway width³ & 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 width⁴	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.

BOROONDARA PLANNING SCHEME

Kerbing⁵	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 volume¹	1000vpd to 2000vpd
Target speed²	30kph
Carriageway width³ & parking provision within street reservation	5.5m wide with 1 hard standing verge parking space per 2 lots.
Verge width⁴	4m minimum each side
Kerbing⁵	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 volume¹	2000vpd to 3000vpd
Target speed²	40kph
Carriageway width³ & parking provision within street reservation	7m-7.5m wide with parking on both sides of carriageway
Verge width⁴	4.5m minimum each side
Kerbing⁵	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 volume¹	3000 vpd
Target speed²	50 kph ⁷ reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.
Carriageway width³, 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 width⁴	4.5m minimum each side.
Kerbing⁵	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 volume¹	3,000 vpd to 7,000 vpd
Target speed²	60 kph ⁸ or 50km/h reduced to 40kph at schools.

Carriageway width³, 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 width⁴	▪ 6m minimum each side (plus central median).
Kerbing⁵	▪ 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 volume¹	Greater than 7000vpd
Target speed²	Arterial road design as required by the relevant roads authority.
Carriageway width³ & parking provision within street reservation	Arterial road design as required by the relevant roads authority.

Verge width⁴	Arterial road design as required by the relevant roads authority.
Kerbing⁵	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

29/10/2015
VC101

INTEGRATED WATER MANAGEMENT

56.07-1

09/10/2006
VC42

Drinking water supply objectives

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

20/03/2023
VC229

Reused and recycled water objective

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

01/07/2021
VC203

Waste water management objective

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

26/10/2018
VC154

Stormwater management objectives

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 $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (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

09/10/2006
VC42

56.08-1

09/10/2006
VC42

SITE MANAGEMENT

Site management objectives

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.

56.0922/08/2014
VC118**UTILITIES****56.09-1**22/08/2014
VC118**Shared trenching objectives**

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.

56.09-201/01/2024
VC250**Electricity and telecommunications objectives**

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.

56.09-315/09/2008
VC49**Fire hydrants objective**

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.

56.09-409/10/2006
VC42**Public lighting objective**

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.

TWO OR MORE DWELLINGS ON A LOT RESIDENTIAL BUILDINGS OF FOUR STOREYS

Purpose

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

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that responds to the site and the surrounding area.

Application

Provisions in this clause apply to the classes of applications specified in clauses:

- 32.04-7, Mixed Use Zone,
- 32.05-8, Township Zone,
- 32.07-6, Residential Growth Zone,
- 32.08-7, General Residential Zone,
- 32.09-7, Neighbourhood Residential Zone,
- 32.10-5, Housing Choice and Transport Zone.

The objective contained in clause 57.03-1 does not apply to a development of less than 10 dwellings.

The objective contained in clause 57.05-3 does not apply to an apartment development or residential building.

The objectives contained in clauses 57.03-12 and 57.05-7 do not apply to the construction or extension of:

- A dwelling that is not in, or does not form part of, an apartment development; or
- A residential building.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the corresponding objective.
 - If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard, as specified in the zone or schedule to the zone applies for the purpose of this clause.
 - If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard 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 standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

Requirements

A development must meet all of the applicable objectives contained in this clause.

BOROONDARA PLANNING SCHEME

A development should meet all of the applicable standards of this clause that apply to the application.

The responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

57.01

31/03/2025
VC267

APPLICATION REQUIREMENTS

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.

57.01-1

31/03/2025
VC267

Site description

The site description may use a site plan, photographs or other techniques and must accurately describe:

- The built form, scale and character of surrounding development including front fencing.
- 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 existing trees 5 metres in height or greater, with a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, on the site.
- Any cut and filled areas of soil, where known.
- Street frontage features such as poles, services, street trees and kerb crossovers.
- The location of any existing domestic solar energy system on the roof of a dwelling, apartment development or residential building on surrounding properties.

If in the opinion of the responsible authority a requirement of the site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

57.01-2

31/03/2025
VC267

Design response

The design response must explain how the proposed design:

- Derives from and responds to the site description.
- Meets the objectives of Clause 57.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

The design response must include a landscape plan that details the proposed:

- Retention and planting of canopy trees,
- Planting of other vegetation including location, species, number and size at maturity of vegetation,
- Where required, areas of deep soil and root barriers,
- Irrigation system to support existing and planted vegetation including details of any alternative water supply sources,
- Selection of vegetation that responds to the site's environment and geographic factors,
- A plan showing the location of site services, clothes drying and storage.

BOROONDARA PLANNING SCHEME

If in the opinion of the responsible authority a design response requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

57.0231/03/2025
VC267**57.02-1**31/03/2025
VC267**NEIGHBOURHOOD CHARACTER****Street setback objective**

To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.

Standard E2-1

Walls of buildings should be set back from streets

the distance specified in Table E2-1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves should not encroach more than 2.5 metres into the setbacks of this standard.

Table E2-1 Street setback

Development context	Minimum setback from front street	Minimum setback from a side street
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 lesser front wall setback of an existing building on the abutting allotments facing the front street or 6 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 6 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 6 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 is set back 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 is set back 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 the siting of the building is constrained by the shape, dimensions, slope or other conditions of the site.
- 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.
- Whether a different setback affects the ability to retain or plant canopy trees.

57.02-2

31/03/2025
VC267

Building height objective

To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

Standard E2-2

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.

57.02-3

02/04/2025
VC276

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

Standard E2-3

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries in accordance with either E2-3.1 or E2-3.2.

Either standard E2-3.1 or E2-3.2 should apply rather than applying both in full or part:

- E2-3.1:
The building is set back at least 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.
- E2-3.2:
If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.

BOROONDARA PLANNING SCHEME

If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services should not encroach more than 0.5 metres into the side and rear setbacks.

Landings that have 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 side and rear setbacks.

Diagram E2-3.1 Side and rear setbacks

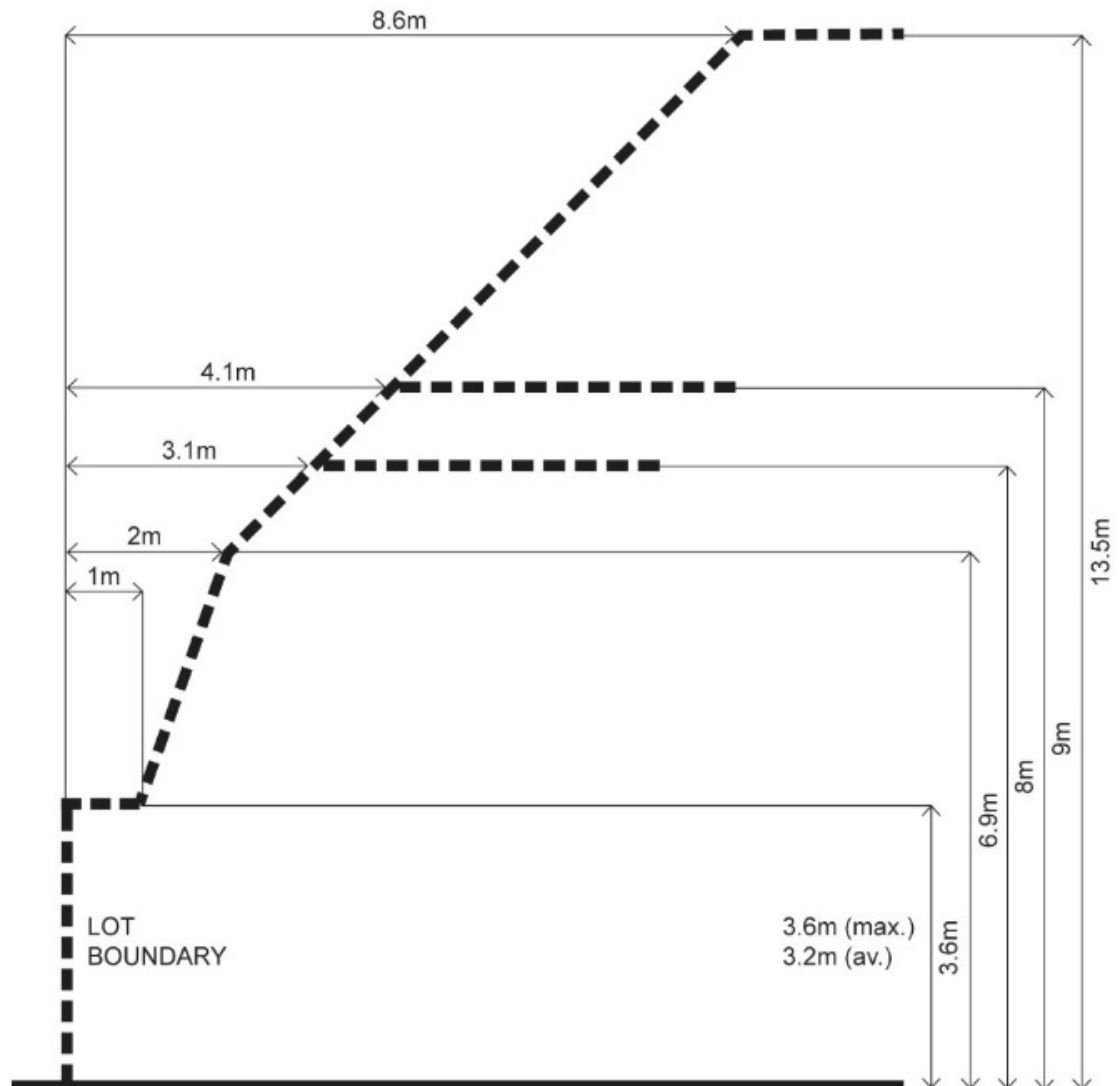


Diagram E2-3.2 Side and rear setbacks



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 private open space of existing dwellings or small second 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.
- Whether a different setback in a rear yard affects the ability to retain or plant canopy trees.

57.02-4

31/03/2025
VC267

Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard E2-4

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 that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

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 or small second 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.

57.02-5

31/03/2025
VC267

Site coverage objective

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Standard E2-5

The site area covered by buildings should not exceed the percentage specified in Table E2-5.

Table E2-5 Site coverage

Zone	Area of site covered by buildings
Neighbourhood Residential Zone	60 per cent
Township Zone	
General Residential Zone	65 per cent
Residential Growth Zone	70 per cent
Mixed Use Zone	
Housing Choice and Transport 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.
- 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.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

57.02-6

31/03/2025
VC267

Access objective

To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Standard E2-6

The width of accessways or car spaces (other than to a rear lane) should not exceed:

- 33 per cent of the street frontage; or
- 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should not be increased.

The location of a vehicle crossover or accessway should not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 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 reduction of on-street car parking spaces.
- Whether a different accessway width, number of access points or encroachment of an existing tree affects the ability to retain or plant canopy trees on the site or footpath.

57.02-7

02/04/2025
VC276

Tree canopy objectives

To provide tree canopy that responds to the neighbourhood character 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 new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

Standard E2-7

A minimum canopy cover as specified in Table E2-7.1 should be provided.

Table E2-7.1 Canopy cover

Site area	Canopy cover
1000 square metres or less	10% of site area
More than 1000 square metres	20% of site area

Existing trees to be retained meet all of the following:

- Have a height of at least 5 metres,

- Have a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
- Have a trunk that is located at least 4 metres from proposed buildings.

The minimum canopy cover is met using any combination of trees specified in Table E2-7.2.

Existing trees that are retained can be used in calculating canopy cover.

Table E2-7.2 Tree type, canopy cover, deep soil and planter requirements

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
A	4 metres	6 metres	12.6 sqm	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre
B	8 metres	8 metres	50.3 sqm	49 square metres (min plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	12 metres	12 metres	113.1 sqm	121 square metres (min plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metre

Provide at least one new or retained tree in the front setback and the rear setback.

Trees are located in either:

- An area of deep soil as specified in Table E2-7.2; or
- A planter as specified in Table E2-7.2.

Any trees proposed to be planted should be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.

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 site context and design response.
- The extent to which the existing and proposed canopy trees contribute to a greener environment and reduce urban heat.
- Whether the growth characteristics of existing trees and proposed canopy trees will provide the required canopy cover.
- The suitability of the planting location, deep soil areas and planter soil volume for proposed canopy trees.
- Whether the species of canopy tree is suited to the soil conditions of the site.

57.02-831/03/2025
VC267**Front fences objective**

To encourage front fence design that responds to the existing or preferred neighbourhood character.

Standard E2-8

A front fence within 3 metres of a street should not exceed the maximum height specified in Table E2-8.

Table E2-8 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.

57.03

31/03/2025
VC267

LIVEABILITY

57.03-1

31/03/2025
VC267

Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard E3-1

Developments should include at least:

- One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.
- One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.
- One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.

Decision Guidelines

Before deciding on an application, the responsible authority must consider whether the development provides a range of dwelling sizes and types to meet diverse household needs.

57.03-2

31/03/2025
VC267

Parking location objective

To minimise the impact of vehicular noise within developments on residents.

Standard E3-2

Habitable room windows with sill heights of less than 3 metres above ground level should be setback from accessways and car parks by at least:

- 1.5 metres; or
- If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or
- 1 metre where window sills are at least 1.5 metres above ground level.

This standard is met in respect to any accessway or relevant car parking space that is used exclusively by the resident of the building with the habitable room.

Decision Guidelines

Before deciding on an application, the responsible authority must consider the design response.

57.03-3

31/03/2025
VC267

Street integration objective

To integrate the layout of development with the street to support the safety and amenity of residents.

Standard E3-3

Where a development fronts a street, a vehicle accessway or abuts public open space:

- Passive surveillance should be provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.
- The total cumulative width of all site services should be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.

Lighting should be provided to all external accessways and paths.

Mailboxes should be provided for each dwelling and can be communally located.

Decision guidelines

Before deciding on an application, the responsible authority must consider the design response.

57.03-4

31/03/2025
VC267

Entry objective

To provide each dwelling, apartment development or residential building with its own sense of identity.

To provide entries with weather protection, safe design, natural light and ventilation.

Standard E3-4**Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings**

Each dwelling and each residential building should have a ground level entry door that:

- Has a direct line of sight from a street, accessway or shared walkway.
- Is not accessed through a garage.
- Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.

Apartment development and residential building with a shared entry

An apartment development and each residential building should have:

- A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.
- An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.
- Shared corridors and common areas should have at least one source of natural light and natural ventilation.

Decision guidelines

Whether the entry is visible and easily identifiable from streets and other public areas.

Whether the entry provides shelter, a sense of address and a transitional space around the entry.

57.03-5

31/03/2025
VC267

Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard E3-5

A dwelling or residential building should have private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or
- An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
- A balcony with at least the area and dimensions specified in Table E3-5; or
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.

If a cooling or heating unit is located in the secluded private open space or private open space the required area should increase by 1.5 square metres.

Where ground level private open space is provided an area for clothes drying should be provided.

Table E3-5 Private open space for a balcony

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
		8 square metres	2 metres
	2 bedroom dwelling	12 square metres	2.4 metres
	3 bedroom dwellings		

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.

57.03-6

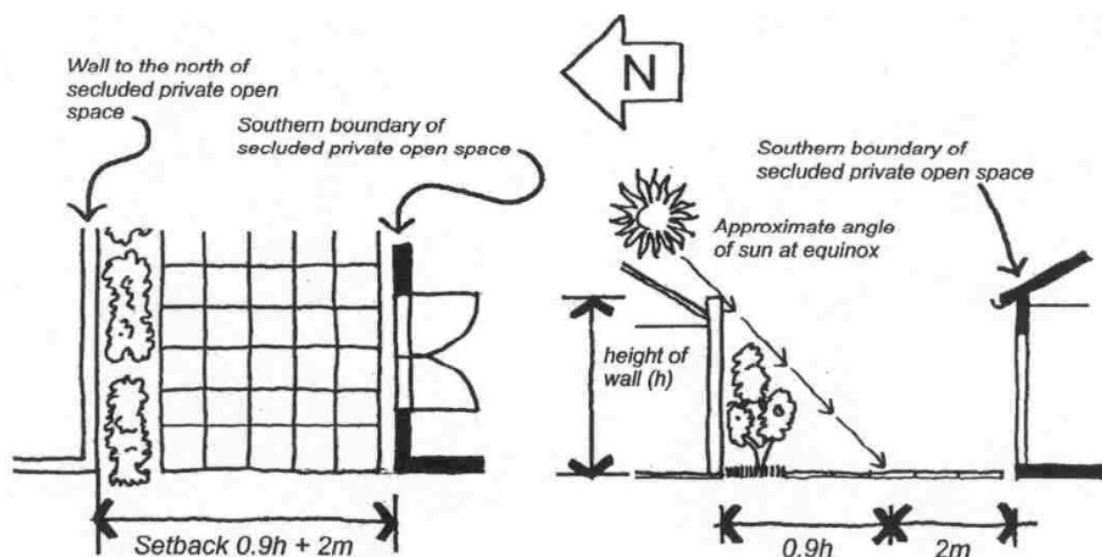
31/03/2025
VC267

Solar access to open space objective

To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard E3-6

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 E3-6 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.

57.03-7

02/04/2025
VC276

Functional layout objective

To ensure dwellings provide functional areas that meet the needs of residents.

Standard E3-7

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table E3-7.1; and
- Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.

Table E3-7.1 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 E3-7.2.

Table E3-7.2 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 and amenity of habitable rooms.

57.03-8

31/03/2025
VC267

Room depth objective

To allow adequate daylight into single aspect habitable rooms.

Standard E3-8

The depth of a single aspect habitable room should not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.

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; and
- The kitchen is located furthest from the window; and

- 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; and
 - An overhang extends no more than 2m beyond the window of the single aspect habitable room.
- In Clause 57.03-8 a single aspect habitable room is a habitable room with windows on only one wall.

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 the layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

57.03-9

31/03/2025
VC267

Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard E3-9

Dwelling (other than a dwelling in or forming part of an apartment development)

A window in an external wall of the building should be provided to all habitable rooms.

Habitable rooms in a dwelling should have a window that faces:

- 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.

Dwelling in or forming part of an apartment development

A window in an external wall of the building should be provided to all habitable rooms.

Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area should have:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.
- A window clear to the sky.

Decision guidelines

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

- The design response.
- The extent to which habitable rooms are 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.
- Whether there are other windows in the habitable room which have access to daylight.

57.03-1031/03/2025
VC267**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard E3-10**Dwelling (other than a dwelling in or forming part of an apartment development)**

Dwellings should have openable windows, doors or other ventilation devices in external walls of the building that provide:

- 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 size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Dwelling in or forming part of an apartment development

At least 40 per cent of dwellings should have openable windows, doors or other ventilation devices in external walls of the building that provide:

- 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 size.

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 and layout of the dwelling maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and site context.

57.03-1131/03/2025
VC267**Storage objective**

To provide adequate storage facilities for each dwelling.

Standard E3-11**Dwelling (other than a dwelling in or forming part of an apartment development)**

Each dwelling should have exclusive access to at least 6 cubic metres of externally accessible storage space.

Dwelling in or forming part of an apartment development

Each dwelling should have exclusive access to storage at least the total minimum storage volume that is specified in Table E3-11.

Table E3-11 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.

57.03-12

31/03/2025
VC267

Accessibility for apartment developments objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard E3-12

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 E3-12.

Table E3-12 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	
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.	A clear circulation area that is: ▪ A minimum width of 1 metre.

BOROONDARA PLANNING SCHEME

	Design option A	Design option B
	▪ 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.	▪ 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.

57.04

31/03/2025
VC267

57.04-1

31/03/2025
VC267

EXTERNAL AMENITY

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

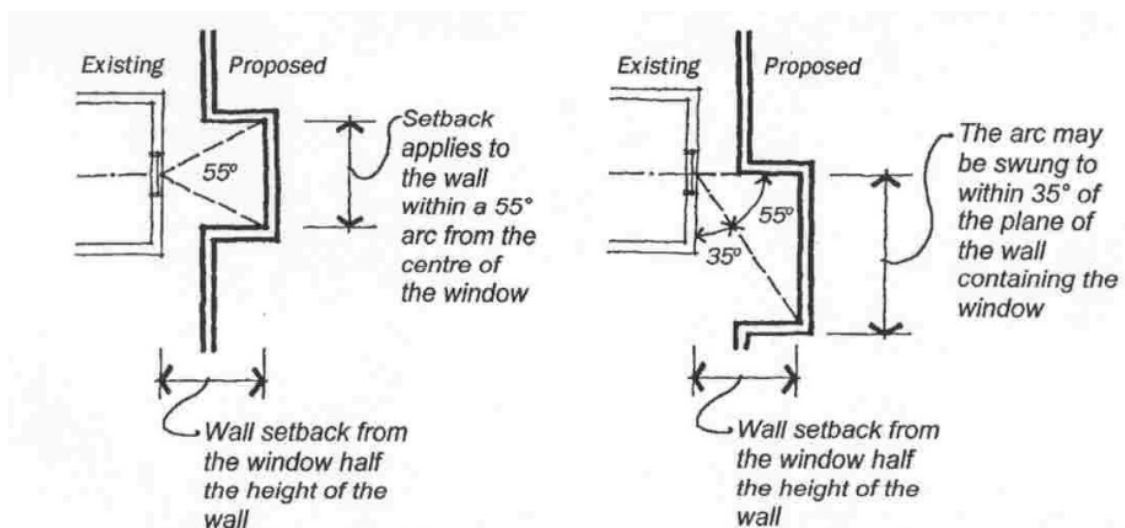
Standard E4-1

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 E4-1 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 or small second 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 or small second dwellings.

57.04-2

02/04/2025
VC276

Existing north-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard E4-2

Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:

BOROONDARA PLANNING SCHEME

- A new building should be set back from the boundary by at least 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. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.
- For new buildings that meet the Standard E2-3.2 setback, the building should be set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.

For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.

Diagram E4-2.1 North-facing windows

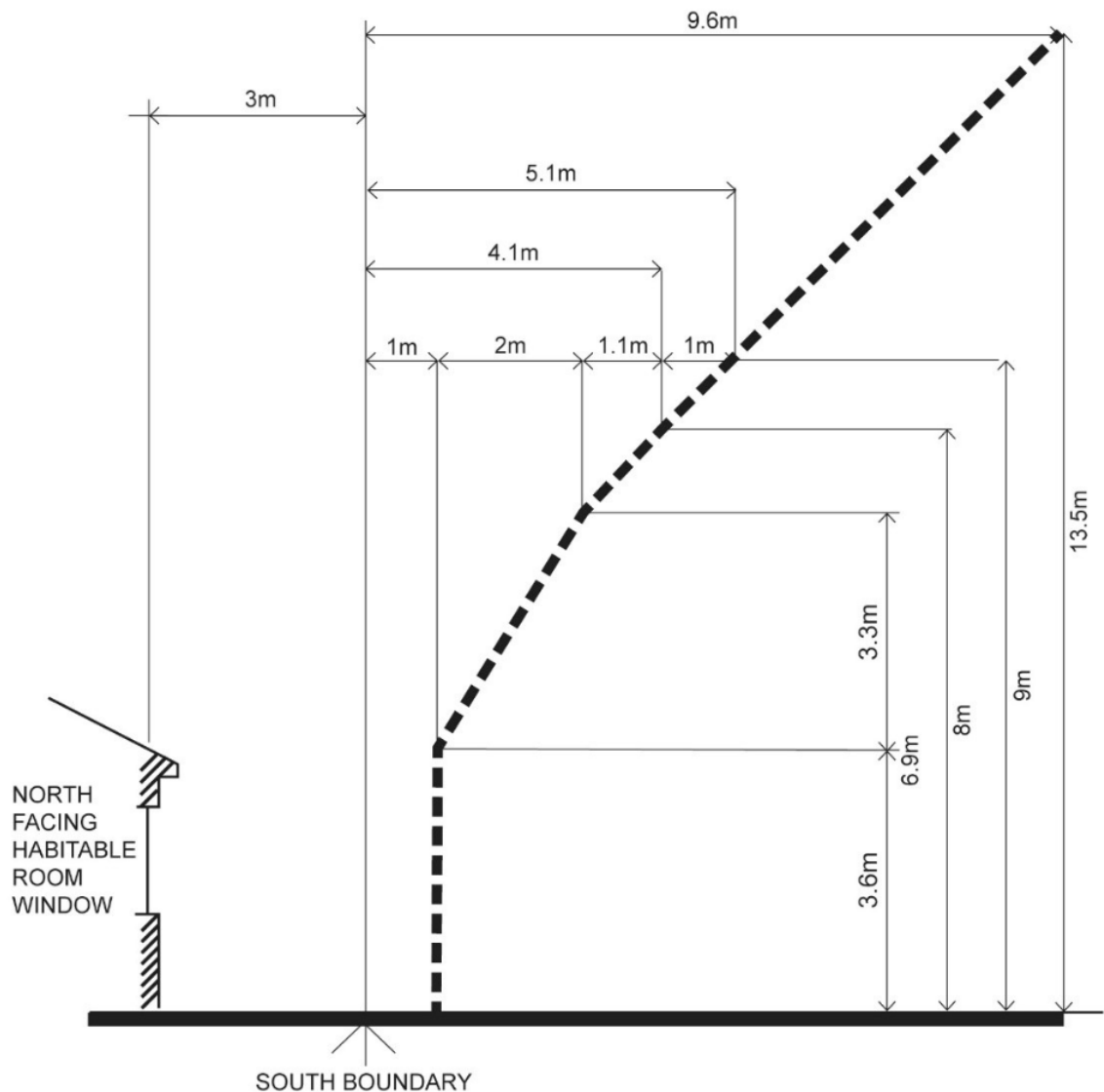
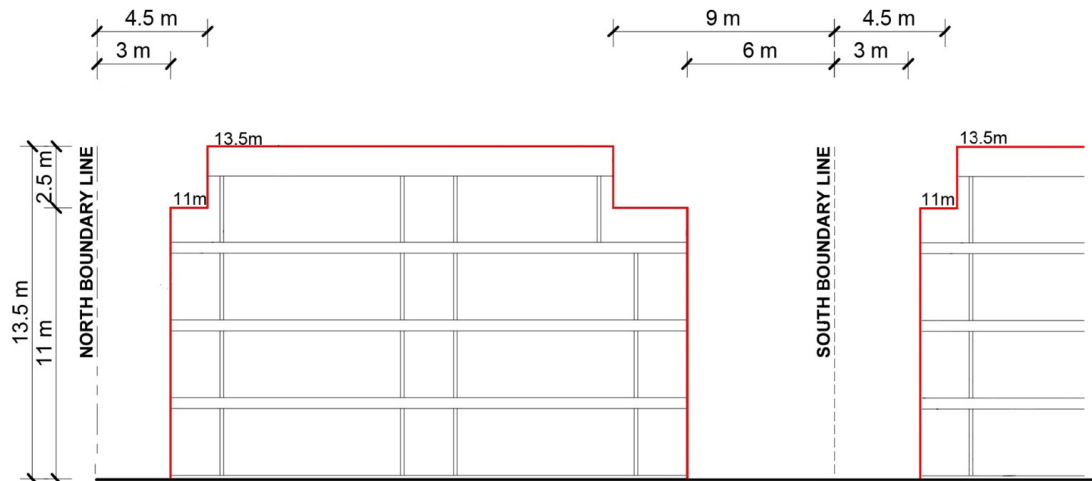


Diagram E4-2.2 North-facing windows



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 or small second dwelling.
- The impact on the amenity of existing dwellings or small second dwellings.

57.04-3

02/04/2025
VC276

Overshadowing secluded open space objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard E4-3

The area of secluded private open space that is not overshadowed by the new development should be greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second 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 or small second dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling or small second dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling or small second dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

57.04-4

31/03/2025
VC267

Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

Standard E4-4

In Clause 57.04-4 a habitable room does not include a bedroom.

A habitable room window, balcony, podium, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are 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 should be located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

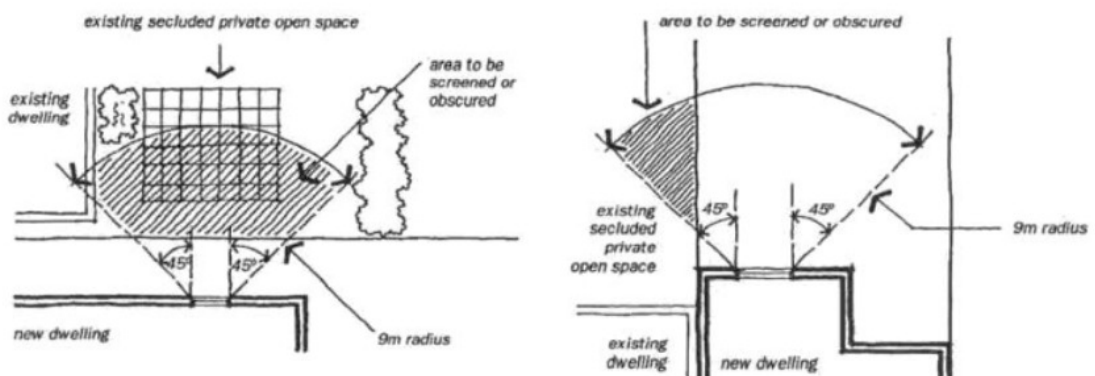
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 E4-4 Overlooking



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 or small second dwellings.
- The internal daylight to and amenity of the proposed dwelling, residential building or small second dwelling.

57.04-5

31/03/2025
VC267

Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard E4-5

In Clause 57.04-5 a habitable room does not include a bedroom.

Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling should:

- be offset a minimum of 1.5 metres from the edge of the secluded private open space; or
- have a sill height of at least 1.7 metres above floor level; or
- have a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or
- have permanently fixed external screens to at least 1.7 metres above floor level; or
- have fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

Direct views are measured at a height of 1.7 metres above floor level and within:

- A 45 degree horizontal angle from the edge of the new window or balcony.
- A 45 degree angle in the downward direction.

Screens provided for overlooking should be no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

57.0531/03/2025
VC267**57.05-1**31/03/2025
VC267**SUSTAINABILITY****Permeability and stormwater management objectives**

To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To contribute to urban cooling.

Standard E5-1

The site area covered by the pervious surfaces should be at least 20 percent of the site.

The development should include a stormwater management system designed to:

- Meet the best practice quantitative performance objectives for stormwater quality specified in the Urban stormwater management guidance (EPA Publication 1739.1, 2021) of:
 - Suspended solids 80% reduction in mean annual load.
 - Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
- - Litter 70% reduction of mean annual load.

Note:

A certificate generated from a stormwater assessment tool including STORM, MUSIC or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.

- Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.

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.

57.05-231/03/2025
VC267**Overshadowing domestic solar energy systems objective**

To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

Standard E5-2

Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot should be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.

In Clause 57.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the domestic solar energy system has been sited to optimise efficiency and protection from overshadowing.

57.05-3

31/03/2025
VC267

Rooftop solar energy generation area objective

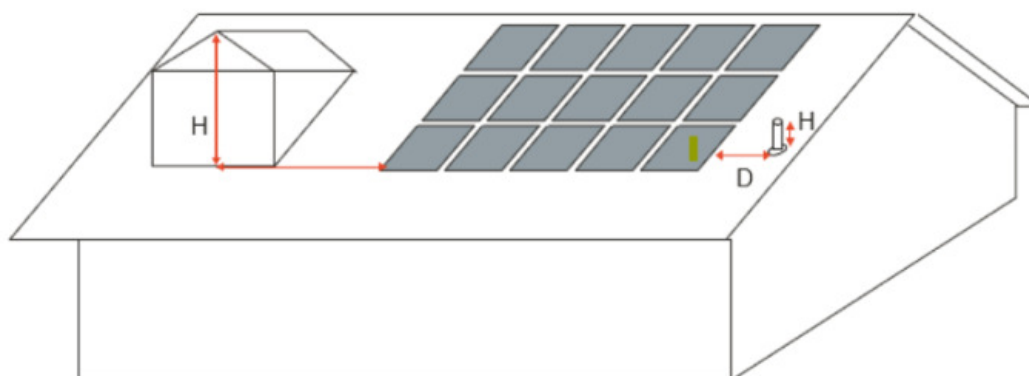
To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

Standard E5-3

An area on the roof capable of siting a rooftop solar energy area for each dwelling should be provided and:

- Have a minimum dimension of 1.7 metres.
- Have a minimum area in accordance with Table E5-3.
- Is oriented to the north, west or east.
- Is positioned on the top two thirds of a pitched roof.
- Can be a contiguous area or multiple smaller areas.
- Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Diagram E5-3 Space should be provided between obstructions and the rooftop solar energy area



Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

Table E5-3 Minimum rooftop solar energy generation area

Number of bedrooms	Minimum roof area
1 bedroom dwelling	15 square metres
2 or 3 bedroom dwelling	26 square metres
4 or more bedroom dwelling	34 square metres

In Clause 57.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

This standard does not apply to apartments and residential buildings.

Decision guidelines

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

- The design response.
- The size and orientation of the building.
- The availability of solar access to the rooftop.
- The extent to which the rooftop solar energy generation area is overshadowed by existing buildings, other permanent structures or equipment on the rooftop.

57.05-4

31/03/2025
VC267

Solar access protection to new north-facing windows objectives

To encourage external shading of north facing windows to minimise summer heat gain.

Standard E5-4

North facing windows should be shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.

Decision Guidelines

Before deciding on an application, the responsible authority considers:

- The design response.
- The size and orientation of the lot.
- The type and useability of external solar shading devices, including alternative design responses.

57.05-5

31/03/2025
VC267

Waste and recycling objectives

To ensure dwellings are designed to facilitate waste recycling.

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Standard E5-5

Dwelling (other than a dwelling in or forming part of an apartment development)

The development should include an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table E5-5.1.

Table E5-5.1 Bin storage

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Individual bin storage area for a dwelling.	1.8 square metres	0.8 metre	1.8 metres
Shared bin storage area for 3 dwellings or less.	5.4 square metres	0.8 metre	1.8 metres

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Shared bin storage area for 4 or more dwellings.	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres

If the development includes a shared bin storage area:

- The shared bin storage area should be:
 - Located within 40 metres of a kerbside collection point.
 - Include a tap for bin washing.
- A continuous path of travel free of steps and obstructions from dwellings to the bin storage area should be provided.

Where access is provided for private bin collection on the land the design of access ways should allow the vehicle to enter and exit in a forward direction.

Each dwelling should include an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Dwelling in or forming part of an apartment development

The development should include a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table E5-5.2.

Table E5-5.2 Apartment bin storage

Number of dwellings	Minimum area	Minimum depth	Minimum height
15 or less dwellings	0.7 square metres per dwelling in a shared waste storage area	0.8 metres	2.7 metres
16 to 55 dwellings	0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area.	1 metre	2.7 metres
56 or more dwellings	0.5 square metres per dwelling in a shared waste storage area.	1 metre	2.7 metres

Enclosed bin storage areas should be ventilated by:

- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or
- A mechanical exhaust ventilation system.

A tap and drain should be provided to wash bins.

A continuous path of travel should be provided from each dwelling to bin storage areas.

Each dwelling should include an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Decision guidelines

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

- The design response, including a Waste Management Plan.
- Any relevant waste and recycling objective, policy or statement set out in this planning scheme.
- The functionality and accessibility of waste and recycling facilities, including for people with limited mobility.
- Whether facilities are provided for on-site reuse or management of food and garden organics through composting or other waste recovery.
- Whether waste and recycling facilities are designed to meet the better practice design options specified in *Waste management and recycling in multi-unit developments* (Sustainability Victoria, 2019).

57.05-6

31/03/2025
VC267

Noise impacts objectives

To minimise the impact of mechanical plant noise located in the development.

Standard E5-6

Mechanical plant, including mechanical car storage and lift facilities should not be located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

Decision guideline

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

- The design response.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling or small second dwelling and the site context.

57.05-7

31/03/2025
VC267

Energy efficiency for apartment developments objectives

To achieve energy efficient dwellings and buildings.

To ensure dwellings achieve adequate thermal efficiency.

Standard E5-7

Dwellings located in a climate zone identified in Table E5-7 should not exceed the maximum NatHERS annual 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).

Decision guidelines

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

- The design response.
- The size, orientation and layout of the site.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

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, Housing Choice and Transport 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, Activity Centre Zone or Precinct 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.

58.0116/01/2018
VC142**URBAN CONTEXT REPORT AND DESIGN RESPONSE****58.01-1**13/04/2017
VC136**Application requirements**

An application must be accompanied by:

- An urban context report.
- A design response.

58.01-216/01/2018
VC142**Urban context report**

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

20/12/2021
VC174

Design response

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

31/07/2018
VC148

58.02-1

13/04/2017
VC136

URBAN CONTEXT

Urban context objectives

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

31/07/2018
VC148

Residential policy objectives

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

13/04/2017
VC136

Dwelling diversity objective

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

01/01/2024
VC250

Infrastructure objectives

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.

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

20/12/2021
VC174

Integration with the street objective

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.

58.0331/07/2018
VC148**58.03-1**14/12/2023
VC253**SITE LAYOUT****Energy efficiency objectives**

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 or small second 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/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.

58.03-2

14/12/2023
VC253

Communal open space objective

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 and existing small second 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

13/04/2017
VC136

Solar access to communal outdoor open space objective

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

13/04/2017
VC136

Safety objective

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

15/03/2024
VC256

Landscaping objectives

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
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 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

20/12/2021
VC174

Access objective

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

13/04/2017
VC136

Parking location objectives

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

26/10/2018
VC154

Integrated water and stormwater management objectives

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

13/04/2017
VC136

58.04-1

14/12/2023
VC253

AMENITY IMPACTS

Building setback objectives

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 and existing small second 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 and existing small second 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 and existing small second dwellings.
- The existing extent of overlooking into existing dwellings or small second dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

58.04-2

13/04/2017
VC136

Internal views objective

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

14/12/2023
VC253

Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings or small second 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 or small second 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 or small second dwelling and the site context.

58.04-4

04/05/2022
VC210

Wind impacts objective

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.

BOROONDARA PLANNING SCHEME

- 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

13/04/2017
VC136

58.05-1

04/05/2022
VC210

ON-SITE AMENITY AND FACILITIES

Accessibility objective

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

04/05/2022
VC210

Building entry and circulation objectives

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

04/05/2022
VC210

Private open space objective

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

04/05/2022
VC210

Storage objective

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

13/04/2017
VC136

DETAILED DESIGN

58.06-1

04/05/2022
VC210

Common property objectives

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

04/05/2022
VC210

Site services objectives

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

04/05/2022
VC210

Waste and recycling objectives

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

04/05/2022
VC210

External walls and materials objective

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.

58.0713/04/2017
VC136**58.07-1**04/05/2022
VC210**INTERNAL AMENITY****Functional layout objective**

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.

58.07-204/05/2022
VC210**Room depth objective**

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

04/05/2022
VC210

Windows objective

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

04/05/2022
VC210

Natural ventilation objectives

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.

BOROONDARA PLANNING SCHEME

- 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.

VICSMART APPLICATIONS AND REQUIREMENTS

59.01

31/07/2018
VC148

59.01-1

01/07/2021
VC203

REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

Information requirements

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

31/07/2018
VC148

Decision guidelines

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.

BOROONDARA PLANNING SCHEME

- 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

31/07/2018
VC148

59.02-1

01/07/2021
VC203

SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

Information requirements

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

31/07/2018
VC148

Decision guidelines

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.

BOROONDARA PLANNING SCHEME

- 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

31/07/2018
VC148

FRONT FENCE IN A RESIDENTIAL ZONE

59.03-1

31/07/2018
VC148

Information requirements

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

31/07/2018
VC148

Decision guidelines

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.

59.0431/07/2018
VC148**59.04-1**31/07/2018
VC148**BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)****Information requirements**

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

31/07/2018
VC148

Decision guidelines

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

31/07/2018
VC148

59.05-1

14/12/2023
VC253

BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

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 Significant Landscape Overlay, a written description of the proposal including:
 - How the proposal responds to the landscape significance and objectives specified in a schedule to the overlay.
 - The impact of the proposed buildings and works on the significance of the landscape.
- 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 Clauses 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

31/07/2018
VC148

Decision guidelines

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.

BOROONDARA PLANNING SCHEME

- 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

20/03/2023
VC229

59.06-1

31/07/2018
VC148

REMOVE, DESTROY OR LOP ONE TREE

Information requirements

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

31/07/2018
VC148

Decision guidelines

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 defensible 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.

59.0731/07/2018
VC148**59.07-1**04/11/2022
VC226**APPLICATIONS UNDER A HERITAGE OVERLAY****Information requirements**

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.

59.07-204/11/2022
VC226**Decision guidelines**

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

31/07/2018
VC148

59.08-1

31/07/2018
VC148

APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

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

31/07/2018
VC148

Decision guidelines

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

31/07/2018
VC148

59.09-1

31/07/2018
VC148

SIGNS

Information requirements

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

31/07/2018
VC148

Decision guidelines

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.

BOROONDARA PLANNING SCHEME

- 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

31/07/2018
VC148

CAR PARKING

59.10-1

31/07/2018
VC148

Information requirements

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

31/07/2018
VC148

Decision guidelines

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

31/07/2018
VC148

[NO CONTENT]

59.1231/07/2018
VC148**TWO LOT SUBDIVISION IN A RURAL ZONE****59.12-1**31/07/2018
VC148**Information requirements**

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.

59.12-231/07/2018
VC148**Decision guidelines**

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

31/07/2018
VC148

BUILDINGS AND WORKS IN A RURAL ZONE

59.13-1

31/07/2018
VC148

Information requirements

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

03/02/2022
VC199

Decision guidelines

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

14/12/2023
VC253

CONSTRUCTION AND EXTENSION OF ONE DWELLING ON A LOT OR A SMALL SECOND DWELLING ON A LOT IN A RESIDENTIAL ZONE

59.14-1

14/12/2023
VC253

Information requirements

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.
- If the application is associated with one dwelling on a lot, a written statement, plan or diagram demonstrating how the proposal 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.
- 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 the application is associated with a small second dwelling on a lot, a written statement, plan or diagram demonstrating how the proposal meets:
 - The requirements in the following standards of Clause 54:
 - A3 Street setback
 - A9 Building setback
 - A9.1 Safety and accessibility.
 - A10 Side and rear setbacks.
 - A11 Walls on boundaries.
 - A12 Daylight to existing windows.
 - A13 North-facing windows.
 - A14 Overshadowing open space.
 - A15 Overlooking.
 - The objectives and requirements in the following standards of Clause 54:
 - Clause 54.02-1 Neighbourhood character objective and standard A1.
 - Clause 54.03-3 Site coverage objective and standard A5.
 - Clause 54.03-4 Permeability 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 54.03-8 Safety and accessibility and standard A9.1.
- Clause 54.05-1 Daylight to new windows objective and standard A16.
- Clause 54.05-2 Private open space objective and standard A17.
- Clause 54.06-1 Design detail objective and standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

59.14-2

14/12/2023
VC253

Decision guidelines

In assessing an application associated with one dwelling on a lot the responsible authority must consider the following objectives, standards and decision guidelines of Clause 54 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.

In assessing an application associated with a small second dwelling on a lot the responsible authority must consider the following objectives, standards and decision guidelines of Clause 54 as appropriate:

- Clause 54.02-1 Neighbourhood character objective and standard A1.
- Clause 54.03-3 Site coverage objective and standard A5.
- Clause 54.03-4 Permeability objective and standard A6.
- Clause 54.03-5 Energy efficiency protection objective and standard A7.
- Clause 54.03-6 Significant trees objective and standard A8.
- Clause 54.03-8 Safety and accessibility and standard A9.1.
- Clause 54.05-1 Daylight to new windows objective and standard A16.
- Clause 54.05-2 Private open space objective and standard A17.
- Clause 54.06-1 Design detail objective and standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

59.1531/07/2018
VC148**LOCAL VICSMART APPLICATIONS**

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

28/07/2022
C313boro

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
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None specified

2.0

28/07/2022
C313boro

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
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None specified

3.0

28/07/2022
C313boro

Table 3 Classes of VicSmart application under Particular Provisions

Name of particular provision	Class of application	Permit requirement provision	Information requirements and decision guidelines
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None specified

59.16

31/07/2018
VC148

**INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL
VICSMART APPLICATIONS**

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.

28/07/2022
C313boro

SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0

28/07/2022
C313boro

Information requirements

None specified.

2.0

28/07/2022
C313boro

Decision guidelines

None specified.

GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.

61

31/07/2018
VC148

[NO CONTENT]

GENERAL EXEMPTIONS

62.0114/12/2023
VC253**USES NOT REQUIRING A PERMIT**

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.
- The use of land for a moveable unit as defined in the *Housing Act 1983*, carried out by or on behalf of the Chief Executive Officer, Homes Victoria.

62.0215/03/2019
VC157**BUILDINGS AND WORKS**

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.

62.02-114/12/2023
VC253**Buildings and works not requiring a permit**

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 or small second 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 shade cloth. 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

14/12/2023
VC253

Buildings and works not requiring a permit unless specifically required by the planning scheme

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 moveable unit as defined in the *Housing Act 1983*, carried out by or on behalf of the Chief Executive Officer, Homes Victoria.
- 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 or small second 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 or small second 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 or small second 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 or small second 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

30/08/2006
VC40

Vegetation removal

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

27/06/2025
VC275

EVENTS AND OUTDOOR DINING ON PUBLIC LAND

62.03-1

27/06/2025
VC275

Events

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.

62.03-2

27/06/2025
VC275

Outdoor dining

In this clause:

Dining means the consumption of food or drink, including liquor. It includes the preparation or sale of food or drink, including liquor, for immediate consumption on, or off, the land.

Exemption from planning scheme requirements

Any requirement in this scheme relating to the use of land, the construction of a building, the construction or carrying out of works, or provision of car parking, including preparation of a car parking plan under Clause 52.06, does not apply to:

- The use of a road or other public land for outdoor dining if the use is associated with the use of adjoining land and is authorised under a local law or by the public land manager.
- Street and park furniture including, seats, tables, marquees, covered and uncovered pergolas or similar shade sails, bollards, traffic control devices and platforms associated with outdoor dining in a road or other public land on adjoining land and is authorised under a local law or by the public land manager.

62.04

28/03/2018
VC145

SUBDIVISIONS NOT REQUIRING A PERMIT

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

17/02/2022
VC200

DEMOLITION

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 or 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.

62.0628/10/2022
VC224**DELIVERY OF ESSENTIAL GOODS PERMIT CONDITION EXEMPTION**

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

28/03/2018
VC145

EXISTING USES

63.0128/03/2018
VC145**EXTENT OF EXISTING USE RIGHTS**

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

31/07/2018
VC148

CHARACTERISATION OF USE

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

28/03/2018
VC145

EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

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

28/03/2018
VC145

SECTION 1 USES

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

28/03/2018
VC145

SECTIONS 2 AND 3 USES

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

28/03/2018
VC145

EXPIRATION OF EXISTING USE RIGHTS

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

28/03/2018
VC145

COMPLIANCE WITH CODES OF PRACTICE

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

28/03/2018
VC145

ALTERNATIVE USE

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

28/03/2018
VC145

SHOP CONDITIONS

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

28/03/2018
VC145

DAMAGED OR DESTROYED BUILDINGS OR WORKS

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.

63.1112/02/2024
VC254**PROOF OF CONTINUOUS USE**

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 a period of 15 years at any time before 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 before or during the 15 year period, unless any of the following apply:

- 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.
- The use ceased between the end of the 15 year period and the date of the application or proceeding.

63.12

28/03/2018
VC145

DECISION GUIDELINES

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.

GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND

64.01

28/03/2018
VC145

LAND USED FOR MORE THAN ONE USE

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

28/03/2018
VC145

LAND USED IN CONJUNCTION WITH ANOTHER USE

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.

64.0328/03/2018
VC145**SUBDIVISION OF LAND IN MORE THAN ONE ZONE**

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

28/03/2018
VC145

DECISION GUIDELINES

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.

65.0109/12/2021
VC204**APPROVAL OF AN APPLICATION OR PLAN**

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.

65.0215/03/2024
VC256**APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND**

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 owners corporation.
- The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, 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.

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.

66.0104/08/2022
VC221**SUBDIVISION REFERRALS**

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 <i>Land Act 1958</i>	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 <i>Heritage Act 2017</i>	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.

66.01-104/08/2022
VC221**Mandatory conditions for subdivision permits**

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

15/09/2008
VC49

Referrals under the Subdivision Act – certification of plans

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.

66.0231/07/2018
VC148**USE AND DEVELOPMENT REFERRALS**

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.

66.02-104/05/2022
VC210**Environment Protection Authority Licence**

Kind of application	Referral authority	Type of referral authority
For a use or development requiring any of the following:	Environment Protection Authority	Determining referral authority
- A Development Licence or Operating Licence in accordance with Part 4.4 of the <i>Environment Protection Act 2017</i>. - Amendment of a licence in accordance with Part 4.3 of the <i>Environment Protection Act 2017</i>.		

66.02-212/12/2017
VC138**Native vegetation**

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 <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (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 <i>Conservation, Forests and Lands Act 1987</i>)	Recommending referral authority

66.02-325/05/2017
VC133**Cattle feedlot**

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 <i>Catchment and Land Protection Act 1994</i> , the relevant water authority under the <i>Water Act 1989</i> and the Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>	Determining referral authority
	If the number of cattle is 5000 or more, the Environment Protection Authority	Determining referral authority

66.02-425/05/2017
VC133**Major electricity line or easement**

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

66.02-522/11/2024
VC263**Special water supply catchment area**

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 declared Special Area classified as a Special Water Supply Catchment Area under the <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic supply.	The relevant water board or water supply authority	Determining referral authority
This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.		

66.02-625/05/2017
VC133**Timber production**

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 <i>Conservation, Forests and Lands Act 1987</i>)	Determining referral authority

66.02-714/01/2025
VC237**Industry, utility installation or warehouse**

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 2022.	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 2022. - 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

22/03/2022
VC219

Extractive industry

Kind of application	Referral authority	Type of referral authority
■ To use or develop land for extractive industry.	Secretary to the Department administering the <i>Heritage Act 2017</i>. Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>	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 <i>Mineral Resources (Sustainable Development) Act 1990</i>.	Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>	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 <i>Land Act 1958</i> , <i>Crown Land (Reserves) Act 1978</i> , <i>National Parks Act 1975</i> and <i>Forests Act 1958</i>	Determining referral authority

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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 <i>Catchment and Land Protection Act 1994</i>. – 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 <i>Catchment and Land Protection Act 1994</i>	Determining referral authority
■ To use or develop land for extractive industry: – In areas with communities or taxa listed or critical habitat determined under the <i>Flora and Fauna Guarantee Act 1988</i>. – On land which has been identified in this scheme as containing sites of flora or fauna significance.	Secretary to the Department administering the <i>Flora and Fauna Guarantee Act 1988</i>	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 <i>Water Act 1989</i>	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 <i>Road Management Act 2004</i> 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 <i>Road Management Act 2004</i>. 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

66.02-925/05/2017
VC133**Geothermal energy extraction**

Kind of application	Referral authority	Type of referral authority
To use or develop land for geothermal energy extraction.	Secretary to the Department administering the <i>Geothermal Energy Resources Act 2005</i>	Determining referral authority

66.02-1025/05/2017
VC133**Greenhouse gas sequestration**

Kind of application	Referral authority	Type of referral authority
To use or develop land for greenhouse gas sequestration.	Secretary to the Department administering the <i>Greenhouse Gas Geological Sequestration Act 2008</i>	Determining referral authority

66.02-1109/12/2021
VC204**Land use and transport integration**

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

66.02-1217/09/2019
VC161**Declared irrigation districts**

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 <i>Water Act 1989</i> .	Secretary to the Department administering the <i>Water Act 1989</i> .	Recommending referral authority

66.02-1317/02/2022
VC200**State transport projects**

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.

66.02-1420/03/2023
VC229**Freeway service centre**

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

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 <i>Planning and Environment Act 1987</i>	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

BOROONDARA PLANNING SCHEME

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 <i>Road Management Act 2004</i> .	Head, Transport for Victoria	Determining referral authority
Clause 52.29-4	An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road	Head, Transport for Victoria	Determining referral authority

BOROONDARA PLANNING SCHEME

Clause	Kind of application	Referral authority	Type of referral authority
	under the <i>Road Management Act 2004</i> , 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.		
	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 <i>Planning and Environment Act 1987</i> 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

66.0428/03/2018
VC145**REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS**

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.

SCHEDULE TO CLAUSE 66.04**Referral of permit applications under local provisions**

Clause	Kind of application	Referral authority	Type of referral authority
Schedule 31 to Clause 43.02 (DDO)	An application within 100 metres of the Yarra River, as measured from the Setback Reference Line, being the closest parallel property boundary aligned to the banks of the waterway, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and Melbourne Water.	Melbourne Water	Recommending referral authority

NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

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 <i>Environment Effects Act 1978</i>.	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 <i>Environment Effects Act 1978</i>.
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 <i>Commonwealth Airports Act 1996</i>
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 <i>Mineral Resources (Sustainable Development) Act 1990</i>. 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 <i>Mineral Resources (Sustainable Development) Act 1990</i>. 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 <i>Mineral Resources (Sustainable Development) Act 1990</i> under section 55 of the Act.	The Secretary of the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>
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 <i>Mineral Resources (Sustainable Development) Act 1990</i> .	The owners and occupiers of land subject to a work authority that has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .

BOROONDARA PLANNING SCHEME

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 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 <i>Conservation, Forests and Lands Act 1987</i>)

66.06

28/03/2018
VC145

NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

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.

28/07/2022
C313boro

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0

28/07/2022
C313boro

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
None specified	None specified	None specified

LAND OWNED OR PERMIT REQUIRED BY RESPONSIBLE AUTHORITIES

67.0124/01/2020
VC160**EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT**

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

14/09/2021
VC211

NOTICE REQUIREMENTS AND EXEMPTION

67.02-1

14/09/2021
VC211

Application

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

14/09/2021
VC211

Notice requirements

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

14/09/2021
VC211

Exemption from notice

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.

OPERATIONAL PROVISIONS

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.

OPERATION OF THIS PLANNING SCHEME

71.01

31/07/2018
VC148

OPERATION OF THE MUNICIPAL PLANNING STRATEGY

71.01-1

24/01/2020
VC160

Municipal Planning Strategy

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

03/02/2022
VC199

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.

71.02

31/07/2018
VC148

OPERATION OF THE PLANNING POLICY FRAMEWORK

71.02-1

31/07/2018
VC148

Purpose of the Planning Policy Framework

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

24/01/2020
VC160

Operation

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

03/02/2022
VC199

Integrated decision making

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

31/07/2018
VC148

Transitional

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

31/07/2018
VC148

OPERATION OF ZONES

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

31/07/2018
VC148

Section 1 uses

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

31/07/2018
VC148

Section 2 uses

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 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

31/07/2018
VC148

Section 3 uses

A use in Section 3 is prohibited.

71.04

31/07/2018
VC148

OPERATION OF OVERLAYS

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

31/07/2018
VC148

OPERATION OF PARTICULAR PROVISIONS

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.

71.0631/07/2018
VC148**71.06-1**15/03/2024
VC256**OPERATION OF VICSMART APPLICATIONS AND PROCESS****VicSmart applications**

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.

71.06-231/07/2018
VC148**VicSmart process**

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.

ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME

72.01

17/09/2019
VC161

RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

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

04/07/2025
VC258

Minister is responsible authority

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 53.25 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.

The Minister for Planning is the responsible authority for the following matters where clause 53.22 or 53.23 applies:

- matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act;

BOROONDARA PLANNING SCHEME

- matters under Division 2 of Part 9 of the Act where required under a permit in relation to the provision of the affordable housing contribution; 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.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0

31/07/2018
VC148

Responsible authority for administering and enforcing this planning scheme:

The Boroondara 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

10/11/2023
GC223

Responsible authority for administering and enforcing a provision of this planning scheme:

The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for land known as the Kew Residential Services site and more particularly described as Crown Allotment 59Q and Crown Allotment 59R, Parish of Boroondara, County of Bourke.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 45.12 of the planning scheme in respect of the *North East Link Project Incorporated Document, December 2019 (amended September 2023)*.
- Any other provision of the planning scheme as it applies to the use or development of land for the North East Link Project.

The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for land at 10 Markham Avenue, Ashburton.

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2, and 3 of Part 4 and Part 4AA of the Act and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority in relation to:

- Approval and amendment of any development plan under clause 43.04-3, in relation to Schedule 4 to the Development Plan Overlay (422-450 Auburn Road and 9 Bills Street, Hawthorn)

3.0

31/07/2018
VC148

Person or responsible authority for issuing planning certificates:

Minister for Planning.

4.0

22/09/2023
VC243

Responsible authority for VicSmart and other specified applications:

The Chief Executive Officer of the Boroondara City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Boroondara 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 Boroondara 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

31/07/2018
VC148

WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

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

31/07/2018
VC148

Area covered by this planning scheme:

The municipal district of the City of Boroondara.

72.0331/07/2018
VC148**WHAT DOES THIS PLANNING SCHEME CONSIST OF?**

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'.

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?**1.0****Maps comprising part of this planning scheme:**

Zoning and overlay maps:

- 1, 1SLO, 1LSIO, 1SCO
- 2, 2VPO, 2SLO, 2HO, 2DDO, 2DPO, 2LSIO, 2SBO, 2PAO, 2SCO
- 3, 3SLO, 3HO, 3LSIO, 3SBO, 3PAO, 3DDO, 3PO, 3SCO
- 4, 4SLO, 4HO, 4DPO, 4LSIO, 4SBO, 4DDO, 4PO, 4SCO
- 5, 5HO, 5DPO, 5DDO, 5SBO, 5SCO
- 6, 6SLO, 6HO, 6DPO, 6LSIO, 6PAO, 6DDO, 6SCO
- 7, 7VPO, 7SLO, 7HO, 7DDO, 7DPO, 7LSIO, 7SBO, 7PAO, 7EAO, 7PO, 7SCO
- 8, 8HO, 8DPO, 8LSIO, 8SBO, 8PAO, 8EAO, 8DDO, 8PO, 8SCO
- 9, 9HO, 9DPO, 9SBO, 9EAO, 9DDO, 9PO
- 10, 10ESO, 10HO, 10DPO, 10SBO, 10DDO, 10PO
- 11, 11SLO, 11HO, 11DDO, 11DPO, 11LSIO, 11SBO, 11PAO, 11EAO, 11CLPO, 11PO
- 12, 12BFO, 12HO, 12CLPO, 12DDO, 12DPO, 12LSIO, 12SBO, 12PAO, 12EAO, 12PO, 12SCO
- 13, 13BFO, 13HO, 13DDO, 13DPO, 13SBO, 13PAO, 13EAO, 13PO
- 14, 14HO, 14DPO, 14SBO, 14PAO, 14EAO, 14DDO, 14PO
- 15, 15HO, 15DPO, 15LSIO, 15SBO, 15PAO, 15EAO, 15DDO, 15PO, 15SCO
- 16, 16HO, 16DPO, 16LSIO, 16SBO, 16PAO, 16EAO, 16DDO, 16PO
- 17, 17HO, 17SBO, 17EAO, 17DDO, 17PO
- 18, 18HO, 18LSIO, 18SBO, 18DDO, 18PO
- 19, 19HO, 19DPO, 19LSIO, 19PAO, 19DDO, 19PO, 19SCO

72.04

14/01/2025
VC237

INCORPORATED DOCUMENTS

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:
<i>A 'Good Neighbour' Code of Practice for a Circus or Carnival</i> (Department of Infrastructure, October 1997)	NPS1
<i>Apiary Code of Practice</i> (Department of Planning and Community Development, May 2011)	VC81
<i>Australian Standard AS/NZS 2890.1:2004, Parking Facilities - Off-street car parking</i> (Standards Australia, 2004)	VC26
<i>Australian Standard AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking</i> (Standards Australia, 2015)	VC237
<i>Building in bushfire-prone areas</i> (Publication SAA HB36-1993, CSIRO & Standards Australia, May 1993)	NPS1
<i>Code of Practice for Bushfire Management on Public Land</i> (Department of Sustainability and Environment, June 2012)	VC101
<i>Code of Practice for Timber Production 2014 (as amended 2022)</i> (Department of Environment, Land, Water and Planning, 2022)	VC229
<i>Design Vehicles and Turning Path Templates</i> (Publication AP-34/95, Austroads, 1995)	VC12
<i>Growth Area Framework Plans</i> (Department of Sustainability and Environment, September 2006)	VC41
<i>Guide to Residential Streets and Paths</i> (Publication C&CCA T51-2004, Cement and Concrete Association of Australia, 2004)	VC26
<i>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths</i> (Austroads, 2021)	VC77
<i>Guidelines for the removal, destruction or lopping of native vegetation</i> (Department of Environment, Land, Water and Planning 2017)	VC138
<i>Local Government Planning Guide for Dry Land Salinity</i> (Department Conservation and Natural Resources, October 1995)	NPS1
<i>Pavement Design - A Guide to the Structural Design of Road Pavements</i> (Austroads, 1992)	VC12
<i>Planning requirements for racing dog keeping and training</i> (Department of Environment, Land, Water and Planning, August 2017)	VC139
<i>Principal Public Transport Network 2017</i> (Victorian Government, 2017)	VC132
<i>Principal Public Transport Network Area Maps</i> (Victorian Government, August 2018)	VC151
<i>Private Tennis Court Development Code of Practice</i> (Revision 1, Department of Infrastructure, March 1999)	VC5
<i>Victorian Code for Broiler Farms 2009 - plus 2018 amendments</i> (Department of Primary Industries, 1999)	VC60

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Name of document	Introduced by:
<i>Victorian Code for Cattle Feedlots</i> (Department of Agriculture, Energy and Minerals, August 1995)	NPS1
<i>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines</i> (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150
<i>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines</i> (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150

SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS**1.0****Incorporated documents**

Name of document	Introduced by:
117 Normanby Road Statement of Significance, August 2020	C306boro
146-148 Winmalee Road, Balwyn Statement of Significance	C276boro
17-19 King Street, Balwyn Statement of Significance	C276boro
192 Doncaster Road, Balwyn North Statement of Significance	C276boro
48 Narrak Road, Balwyn Statement of Significance	C276boro
60 Berkeley Street, Hawthorn Statement of Significance, May 2023	C367boro
800 Toorak Road Comprehensive Development Plan, October 2015	C239
950 Burke Road, Balwyn Statement of Significance	C276boro
1st Deepdene Scout Hall, 32 Whitehorse Road, Deepdene Statement of Significance (Boroondara City Council, November 2023)	C407boro
“Mountfield” Estate Incorporated Plan March 2005 (updated September 2011)	C144
Adair House Statement of Significance, February 2021	C308boro
All Hallows' Catholic Church-School (former), 3 Brenbeal Street, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Aloha, 9 Boston Road, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Angle Road Precinct Statement of Significance (Boroondara City Council, November 2023)	C407boro
Ardene Court Flats Statement of Significance, August 2020	C284boroPt1boro
Ashburton Primary School, 10A Fakenham Road, Ashburton Statement of Significance, December 2021	C337boro
Ashburton Uniting Church, 3-7 Ashburn Grove, Ashburton Statement of Significance, December 2021	C337boro
Auburn South Primary School No.4183 Statement of Significance, February 2021	C308boro
Balloch's Bakery and Stables (former) Statement of Significance, February 2021	C308boro
Balwyn Village Commercial Precinct Statement of Significance	C276boro
<i>Balwyn North Primary School (previously North Balwyn State School No 4638), 94 Maud Street, Balwyn North Statement of Significance (GML Heritage, September 2024)</i>	C398boro
Banool Estate Precinct Statement of Significance, August 2020	C294boroPt2boro
<i>Batrouney House (former), 9 Seattle Street, Balwyn North Statement of Significance (GML Heritage, August 2022)</i>	C381boro
Bel-Air, 113 Yarrbat Avenue, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Belford Court Arcade Statement of Significance, August 2020	C306boro
Boulevard Estate and Environs Precinct Statement of Significance, August 2020	C306boro
Bradford Estate Precinct Statement of Significance, December 2020	C363boro

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Name of document	Introduced by:
Brickfields Environs Precinct Statement of Significance, February 2021	C308boro
Burke Road Commercial Precinct Statement of Significance, August 2020	C294boroPt2boro
Burnlea, 22 Bourne Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
Burwood Road Estate Precinct Statement of Significance, February 2021	C308boro
Burwood Statement of Significance, August 2020	C294boroPt2boro
Camberwell Railway Station Incorporated Plan 2007	C55
Camberwell South Primary School No. 4170, 4 Peate Avenue, Glen Iris Statement of Significance, June 2022	C333boroPt2
Canyanboon Statement of Significance, August 2020	C294boroPt2boro
Carabacel (later 'Carrick Hill', later 'Dunreay') Statement of Significance, February 2021	C308boro
Carinya (formerly Warrack Lodge), 14 Alfred Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
Carmelite Monastery Melbourne Statement of Significance, August 2020	C294boroPt2boro
Chandler Highway Upgrade Incorporated Document, March 2016 (Amended December 2017)	GC80
Chesney Wolde, 57 Berkeley Street, Hawthorn Statement of Significance, May 2023	C367boro
Church House, 146 Yarrbat Avenue, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Clomanto Statement of Significance, February 2021	C308boro
Cotham Village Commercial Precinct Statement of Significance, August 2020	C294boroPt2boro
Craigmill Statement of Significance, August 2020	C294boroPt2boro
Cranmore Estate and Environs Precinct Statement of Significance, August 2020	C284boroPt1boro
Cukierman Residence Statement of Significance, February 2021	C308boro
Currajong, 337 Auburn Road, Hawthorn Statement of Significance, November 2021	C355boro
Dalsworth Statement of Significance, December 2018	C285
<i>Davis Residence, 32 Ursa Street, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
Dickie House Statement of Significance, August 2020	C284boroPt1boro
<i>Dunstan Residence, 17 Yandilla Road, Balwyn Statement of Significance</i> (GML Heritage, September 2024)	C398boro
Duplex Statement of Significance (35 to 37 Rowland Street, Kew), August 2020	C294boroPt2boro
East Kew Uniting Church and former Citizens Hall Statement of Significance, August 2020	C306boro
Edwardian Shops, 556-558 Glenferrie Road, Hawthorn Statement of Significance, August 2020	C284boroPt1boro
Eira Statement of Significance, July 2021	C364boro
Essington Estate & Environs Precinct Statement of Significance, February 2021	C308boro

BOROONDARA PLANNING SCHEME

Name of document	Introduced by:
Evandale (formerly Dewrang), 269 Union Road, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Fankhauser Farmhouse Statement of Significance	C276boro
Farey Brothers' Bakery (former) Statement of Significance, August 2020	C284boroPt1boro
Fernside (former) Statement of Significance, August 2020	C294boroPt2boro
Flats, 7 Mangan Street, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Flats Statement of Significance (20 Denmark Hill Road, Hawthorn East), February 2021	C308boro
Flying Fox Campsite, Yarra Bend Park, December 2004	C60
Former Balwyn Baby Health Centre, later Maternal and Child Health Centre, 1 Cherry Road, Balwyn Statement of Significance, July 2022	C378boro
Former Frank Paton Memorial Church and Hall, 958A Burke Road, Deepdene Statement of Significance (Boroondara City Council, November 2023)	C407boro
Former Lion Rubber Works, Grant Dorman Statement of Significance, August 2020	C284boroPt1boro
Former Watson Residence (3-5 Florence Avenue, Kew) Statement of Significance, April 2021	C353boroPt1
Former W.R Nash and Son Showroom and Service Station Statement of Significance, August 2020	C306boro
Glenferrie and Riversdale Roads Commercial Precinct Statement of Significance, August 2020	C284boroPt1boro
Glen Iris Heights and Cherry's Hill Estates Precinct Statement of Significance, June 2022	C333boroPt2
Glen Iris Primary School No. 1148, 170 Glen Iris Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
Gordon Street Precinct, Balwyn Statement of Significance (GML Heritage, November 2021)	C386boro
Grange Hill (former Hillsbury) Statement of Significance, August 2020	C294boroPt2boro
Harp Village Commercial Precinct Statement of Significance, September 2020	C340boro
Havelock Road, Denmark Hill Road and Linton Court Precinct Statement of Significance, February 2021	C308boro
Hirsch House and Office (former), 118 Glen Iris Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
Home Farm Estate and Environs Precinct Statement of Significance, December 2021	C337boro
House, 41 Austin Street, Balwyn Statement of Significance (GML Heritage, February 2022)	C386boro
House, 5 Creswick Street, Deepdene Statement of Significance (GML Heritage, August 2023)	C386boro
<i>House, 116 Bulleen Road, Balwyn North Statement of Significance (GML Heritage, September 2024)</i>	C398boro
House, 9 Donald Street, Ashburton Statement of Significance, December 2021	C337boro
House, 1 Keyes Street, Ashburton Statement of Significance, December 2021	C337boro

BOROONDARA PLANNING SCHEME

Name of document	Introduced by:
House, 45 Yuile Street, Ashburton Statement of Significance, December 2021	C337boro
House, 12-14 Tannock Street, Balwyn North Statement of Significance, October 2021	C341boro
<i>House, 17 Trentwood Avenue, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
<i>House, 22 Riverview Road, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
<i>House, 24 Orion Street, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
<i>House, 32 Hill Road, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
House, 39 Peate, Avenue, Glen Iris Statement of Significance, June 2022	C333boroPt2
House, 44 Denman Avenue, Glen Iris Statement of Significance, June 2022	C333boroPt2
House, 55 Bath Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
House, 221 Whitehorse Road, Balwyn Statement of Significance (GML Heritage, February 2022)	C386boro
House and Garden, 171 Doncaster Road, Balwyn North Statement of Significance (Boroondara City Council, November 2023)	C407boro
House, 1 Mountain View Road, Balwyn North Statement of Significance (Boroondara City Council, November 2023)	C407boro
House Statement of Significance (31 Studley Park Road, Kew), August 2020	C294boroPt2boro
House Statement of Significance (59 Pakington Street, Kew), August 2020	C294boroPt2boro
Houses (5 & 7 Higham Road, Hawthorn East), February 2021	C308boro
Iona Estate Residential Precinct Statement of Significance, August 2020	C294boroPt2boro
Kew East Primary School No. 3161 Statement of Significance, August 2020	C306boro
Kew Primary School No. 1075 Statement of Significance, August 2020	C294boroPt2boro
Kew Residential Services Urban Design Framework, October 2003	C53
Kew Service Reservoir Statement of Significance, January 2019	C293
Khartoum, 8 Kitchener Street, Deepdene Statement of Significance (Boroondara City Council, November 2023)	C407boro
<i>Kramer House (former), 7 Milfay Court Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
Langley Burrell, 148 Summerhill Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
Les Cloches Statement of Significance, February 2021	C308boro
Lindum Statement of Significance, August 2020	C294boroPt2boro
<i>Lipton House former 67 Hill Road Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
Longford Estate & Environs Precinct Statement of Significance, November 2021	C355boro
Lumeah Statement of Significance, February 2021	C308boro
M1 Redevelopment Project, October 2006	C62

BOROONDARA PLANNING SCHEME

Name of document	Introduced by:
<i>Mann House (former), 39 Inverness Way, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
Mararoa, 28 Leonard Street, Deepdene Statement of Significance (Boroondara City Council, November 2023)	C407boro
Mardegan House Statement of Significance, August 2020	C306boro
Maud Street Maisonette Precinct Statement of Significance	C276boro
May Street Precinct Statement of Significance, August 2020	C294boroPt2boro
McDonald-Smith House (former) Statement of Significance, August 2020	C294boroPt2boro
Melbourne City Link Project – Advertising Sign Locations, November 2003	VC20
Melbourne Croquet Club (Former Glenferrie Hill Recreation Club) Statement of Significance, August 2020	C284boroPt1boro
Merledon Statement of Significance, February 2021	C308boro
Methodist Ladies' College Statement of Significance, June 2020	C305boro
Milston House Statement of Significance, August 2020	C294boroPt2boro
Misso House Statement of Significance, August 2020	C306boro
Mitchell House (former), 2 Salford Avenue Balwyn Statement of Significance (GML Heritage, September 2024)	C398boro
Mombah (former) Statement of Significance, February 2021	C308boro
Monash Freeway Upgrade Project Incorporated Document, March 2016	GC47
Newtown Housing Project Statement of Significance, February 2021	C308boro
North East Link Project Incorporated Document, December 2019 (<i>amended September 2023</i>)	GC223
Norwood Terrace Statement of Significance, August 2020	C284boroPt1boro
Omro Statement of Significance, August 2020	C294boroPt2boro
Palace Balwyn Cinema Statement of Significance	C276boro
<i>Plotkin House (former) 47 Mountain View Road, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
Pyrus Park, 7 Vears Road, Ashburton Statement of Significance, December 2021	C337boro
Quamby (formerly Woongarra), 29 Alfred Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
Red House Statement of Significance, May 2020	C305boro
Residence Statement of Significance (264 Cotham Road, Kew), August 2020	C294boroPt2boro
Reumah, 1 Reumah Court, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Rexmoor, 8 Boston Road, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Riversdale Reserve Precinct Statement of Significance, August 2020	C284boroPt1boro
Riversdale Village Precinct Statement of Significance, August 2020	C284boroPt1boro
Romney Lodge (formerly Delloraine), 2 Allison Avenue, Glen Iris Statement of Significance, June 2022	C333boroPt2
Rookery Estate Precinct Statement of Significance, August 2020	C284boroPt1boro

BOROONDARA PLANNING SCHEME

Name of document	Introduced by:
Rosetta Statement of Significance, February 2021	C308boro
<i>Sanders House former 25 Burroughs Road Balwyn Statement of Significance</i> (Built Heritage, September 2024)	C398boro
Seegar House, 26 Goldthorns Avenue, Kew Statement of Significance, March 2022	C353boroPt2
Shanklin, St Lawrence, Auburn, Fernside, Illawarra, Riversdale, Tooronga Statement of Significance, February 2021	C308boro
Shops Statement of Significance (1139-1141 Burke Road, Kew), August 2020	C294boroPt2boro
Shrine of St Anthony Church Complex Statement of Significance, August 2020	C284boroPt1boro
Silver Birches (formerly Hillsborough) and garden, 129-131 Yarrbat Avenue, Balwyn Statement of Significance (Boroondara City Council, November 2023)	C407boro
Site Specific Control Under Schedule to Clause 52.03 of the Boroondara Planning Scheme, 347 and 347A Riversdale Rd, Hawthorn East, April 2012	C91
Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 1 Whitehorse Road, Deepdene, June 2015	C220
Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 20 Delany Close, Canterbury, October 1999	NPS1
Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 29, 31, 33 Allambee Avenue, Camberwell, October 1999	NPS1
Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 308 High Street, Kew, June 2015	C220
Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 83 Charles Street, Kew, October 1999	NPS1
Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, 240 Camberwell Road, Camberwell, October 1999	NPS1
Site Specific Control Under Schedule To Clause 52.03 of the City of Boroondara Planning Scheme, Nos. 217 - 219 Cotham Road, Kew, March 2012	C143
Skye, 97 Argyle Road, Kew Statement of Significance, March 2022	C353boroPt2
Smith's Paddock (Burwood Reserve) Environs Precinct Statement of Significance, February 2021	C308boro
<i>Spitzer House former 9 Tormey Street Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
St Anne's Church Statement of Significance, August 2020	C306boro
St Barnabas' Anglican Church Statement of Significance	C276boro
St Joseph's Catholic School (formerly St John's School) Statement of Significance, August 2020	C284boroPt1boro
St Michael's Memorial Church, 270 High Street, Ashburton Statement of Significance, December 2021	C337boro
St Michael's Parish Hall, 268 High Street, Ashburton Statement of Significance, December 2021	C337boro
St. Oswald's Anglican Church Complex, 100-108 High Street, Glen Iris Statement of Significance, June 2022	C333boroPt2
St Paul's Anglican Church Complex Statement of Significance, August 2020	C306boro

BOROONDARA PLANNING SCHEME

Name of document	Introduced by:
Stonyhurst & Athol Estates Precinct Statement of Significance, February 2021	C308boro
Summerhill Estate Precinct Statement of Significance, June 2022	C333boroPt2
Summerhill Road Methodist Church Complex Statement of Significance, June 2022	C333boroPt2
Summer House and Cliff House Statement of Significance, June 2021	C362boro
Surbiton Statement of Significance, August 2020	C294boroPt2boro
The Fold, 26 Summerhill Road, Glen Iris Statement of Significance, June 2022	C333boroPt2
Thornton Estate Residential Precinct Statement of Significance, January 2022	C353boroPt1
Toorak Road, Kooyong Level Crossing Removal Project Incorporated Document, May 2019	GC126
Tooronga Village Incorporated Plan, 2013	C188
Tram Shelter Statement of Significance, February 2021	C308boro
Trengrove House Statement of Significance, February 2021	C308boro
Urangeline (former Edzell, Mildura) Statement of Significance, August 2020	C294boroPt2boro
<i>Vedere, 44 Panoramic Road, Balwyn North Statement of Significance</i> (GML Heritage, September 2024)	C398boro
Victoria Road Precinct Statement of Significance, February 2021	C308boro
Victorian House, 10 Marquis Street, Ashburton Statement of Significance, December 2021	C337boro
Victorian Shops, 817-821 Glenferrie Road, Hawthorn Statement of Significance, August 2020	C284boroPt1boro
Victory Estate Precinct Statement of Significance, August 2020	C284boroPt1boro
Violet Farm Estate Precinct Statement of Significance, June 2022	C333boroPt2
Violet Grove and Environs Precinct Statement of Significance, August 2020	C284boroPt1boro
Walker Development Plan – Kew, Building Height Envelope Plan, March 2006	C65
Wentworth Statement of Significance, May 2020	C305boro
William Carey Chapel Statement of Significance, August 2020	C294boroPt2boro
Willsmere Park Shared Path Project June 2013	C142
Windella Avenue and Environs Precinct Statement of Significance, August 2020	C306boro
Wing Shing House (former), 26 Kyora Parade Balwyn North Statement of Significance (GML Heritage, September 2024)	C398boro
Woodford Statement of Significance, August 2020	C284boroPt1boro
Woorayl, 3 Valley Parade, Glen Iris Statement of Significance, June 2022	C333boroPt2
Yarralands Flats Statement of Significance, August 2020	C284boroPt1boro

72.05

31/07/2018
VC148

WHEN DID THIS PLANNING SCHEME BEGIN?

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

31/07/2018
VC148

Date this planning scheme began:

16 December 1999

72.06

31/07/2018
VC148

EFFECT OF THIS PLANNING SCHEME

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

31/07/2018
VC148

DETERMINATION OF BOUNDARIES

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.

72.0803/02/2022
VC199**BACKGROUND DOCUMENTS**

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
<i>Central Highlands Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>G21 Regional Growth Plan</i> (Geelong Region Alliance, 2013).	VC106 Clauses 10 to 19
<i>Gippsland Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Great South Coast Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Hume Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Loddon Mallee North Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Loddon Mallee South Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Wimmera Southern Mallee Regional Growth Plan</i> (Victorian Government, 2014).	VC106 Clauses 10 to 19
<i>Plan Melbourne 2017-2050: Metropolitan Planning Strategy</i> (Department of Environment, Land, Water and Planning, 2017).	VC134 Clauses 10 to 19
<i>Plan Melbourne 2017-2050: Addendum 2019</i> (Department of Environment, Land, Water and Planning, 2019).	VC168 Clauses 10 to 19

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS**1.0****Background documents**

Name of background document	Amendment number - clause reference
<i>41 Austin Street, Balwyn Heritage Citation</i> (GML Heritage, February 2022)	C386boro - Clause 43.01
<i>57 Berkeley Street, Hawthorn (Chesney Wolde) Heritage Citation, February 2023</i>	C367boro - Clause 43.01
<i>60 Berkeley Street, Hawthorn Heritage Citation, March 2021</i>	C367boro - Clause 43.01
<i>5 Creswick Street, Deepdene Heritage Citation</i> (GML Heritage, August 2023)	C386boro - Clause 43.01
<i>221 Whitehorse Road, Balwyn Heritage Citation</i> (GML Heritage, February 2022)	C386boro - Clause 43.01
Assessment of Heritage Precincts in Kew (City of Boroondara, April 2013)	C142 - Clause 15.03-1L
Assessment of the Burwood Road Heritage Precinct, Hawthorn (City of Boroondara, August 2008, updated March 2012)	C98 - Clause 15.03-1L
Auburn Village Heritage Study (City of Boroondara, 2005)	C57 - Clause 15.03-1L
Balwyn Access Plan(City of Boroondara, 2013)	C229 - Clauses 15.01-1L, 18.02-1L, 18.02-3L, 18.02-4L
Balwyn and Balwyn North Heritage Peer Review Stage 3 Methodology Report (GML Heritage, July 2024)	C398boro - Clause 43.01
Balwyn Parking Precinct Plan (Ratio, 2013)	C229 - Clauses 18.02-3L, 18.02-4L
Balwyn Road Residential Precinct, Canterbury: Stage 2 Heritage Precinct Review (City of Boroondara, August 2006)	C59 - Clause 15.03-1L
Balwyn Structure Plan (City of Boroondara, 2011)	C164 - Clause 11.03-3L
Batrouney House (former), 9 Seattle Street, Balwyn North Heritage Citation (GML Heritage, July 2022)	C381boro - Clause 43.01
Boroondara Access and Inclusion Plan 2013-17 (City of Boroondara, 2013)	C229 - Clauses 13.07-1,16.01-1L
Boroondara Bicycle Strategy (Arup, 2008)	C229 - Clauses 18.02-1L, 18.02-3L, 18.02-4L
Boroondara Car Share Policy (City of Boroondara, 2013)	C229 - Clauses 18.02-1L, 18.02-3L, 18.02-4L
Boroondara Integrated Transport Strategy (Arup, 2006)	C229 - Clauses 18.02-1L, 18.02-3L, 18.02-4L
Boroondara Open Space Strategy (City of Boroondara, 2013)	C229 - Clauses 12.01-1L, 12.03-1L, 13.03-1L, 15.02-1L and 19.02-6L
Boroondara Road Safety Strategy (City of Boroondara, 2008)	C229 - Clauses 18.02-1L, 18.02-3L, 18.02-4L
Boroondara Schedule of Gradings Map (City of Boroondara, undated)	C66 - Clause 15.03-1L
Camberwell Conservation Study (City of Camberwell, 1991)	Boroondara L4 - Clause 15.03-1L
Camberwell Junction Activity Centre Plan (Victorian Planning Authority, 2025)	GC252

BOROONDARA PLANNING SCHEME

Name of background document	Amendment number - clause reference
Camberwell Junction Heritage Review (City of Boroondara, 2008, updated 2013)	C101 - Clause 15.03-1L
Camberwell Junction Structure and Place Plan (May 2024)	GC252 - Clause 11.03-1L
Canterbury Hill Estate Precinct Citation (2014)	C150 - Clause 15.03-1L
<i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 1: Canterbury</i> (Context Pty Ltd, 26 November 2018)	C266boro - Clause 15.03-1L
<i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 2: Camberwell</i> (Context Pty Ltd, December 2018)	C274Pt2boro - Clause 15.03-1L
<i>City of Boroondara Municipal-Wide-Heritage Gap Study Volume 3: Hawthorn</i> (Context Pty Ltd, 20 July 2020)	C284boroPt1boro - Clause 43.01
<i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 4: Kew, Revised Report 11 May 2021</i>	C353boroPt1 - Clause 43.01
<i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 5: Kew East and Mont Albert (August 2020)</i>	C306boro - Clause 43.01
<i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 6: Hawthorn East (November 2021)</i>	C355boro - Clause 43.01
<i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 6: Glen Iris</i> (Context Pty Ltd, March 2022)	C333boroPt2 - Clause 43.01
<i>City of Boroondara Municipal-Wide Heritage Gap Study Volume 8: Ashburton</i> (Context Pty Ltd, December 2021)	C337boro - Clause 43.01
<i>City of Kew Urban Conservation Study</i> (City of Kew, 1988)	Kew L8 - Clause 15.03-1L
<i>Creswick Estate Precinct Heritage Citation</i> (2016)	C236 - Clause 15.03-1L
<i>Currajong</i> , 337 Auburn Road, Hawthorn Heritage Citation, Silberberg Consulting, November 2021	C355boro - Clause 43.01
<i>Fairmount Park Estate Precinct Heritage Citation</i> (2016)	C236 - Clause 15.03-1L
Former Balwyn Baby Health Centre, later Maternal and Child Health Centre, 1 Cherry Road, Balwyn Heritage Citation (Context, July 2022)	C378boro - Clause 43.01
Former Watson Residence (3-5 Florence Avenue, Kew) Heritage Citation, April 2021	C353boroPt1 - Clause 43.01
<i>Grange Avenue Residential Precinct Citation</i> (August 2014)	C178 - Clause 15.03-1L
<i>Glenferrie: Heart of Hawthorn Structure Plan</i> (City of Boroondara 2010, updated 28 December 2011)	C230 - Clause 11.03-1L
<i>Glenferrie: Heart of Hawthorn Structure Plan Implementation Plan</i> (City of Boroondara, 2010, updated 28 December 2011)	C230 - Clause 11.03-1L
<i>Gordon Street Precinct Heritage Citation</i> (GML Heritage, November 2021)	C386boro - Clause 43.01
<i>Hawthorn Heritage Precincts Study</i> (City of Boroondara, April 2012)	C99 - Clause 15.03-1
<i>Hawthorn Heritage Study</i> (City of Hawthorn, 1993)	Boroondara L3 Part 1 - Clause 15.03-1
<i>Heritage Policy - Statements of Significance</i> (City of Boroondara, August 2016, or as amended and adopted by Council from time to time)	C229 - Clause 15.03-1
<i>Integrated Water Management Strategy 2014-2024</i> (City of Boroondara, 2014)	C229 - Clauses 12.01-1L, 12.03-1L, 13.03-1L, 15.02-1L, and 19.03-3L

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Name of background document	Amendment number - clause reference
<i>Kew and Hawthorn Further Investigations - Assessment of Specific Sites</i> (February 2014)	C153 - Clause 15.03-1L
<i>Kew Junction Commercial Heritage Study</i> (September 2013)	C149 - Clause 15.03-1L
<i>Kew Junction Structure Plan</i> (City of Boroondara, 2009, updated 28 December 2011)	C230 - Clause 11.03-1L
<i>The Lower Yarra Concept Plan - Dights Falls to Punt Road</i> (Melbourne Metropolitan Board of Works, 1986)	VC197 - Schedule1 to Clause 42.03
<i>Lower Yarra River Study - Recommendations Report</i> (Department of Environment, Land, Water and Planning, 2016)	VC197 - Schedule 1 to Clause 42.03 VC197 - Schedule 31 to Clause 43.02
Methodist Ladies' College Heritage Citation, June 2020	C305boro - Clause 43.01
<i>The Middle Yarra Concept Plan - Dights Falls to Burke Road</i> (Melbourne Parks and Waterways, 1990)	VC197 - Schedule 1 to Clause 42.03
<i>Neighbourhood Centres and Commercial Corridors Guidelines</i> (City of Boroondara, 2014)	C108 - Clauses 11.03-1L, 15.01-1L
<i>Neighbourhood Character Precinct Statements</i> (City of Boroondara, 2013 or as amended and adopted by Council from time to time)	C190 - Clauses 13.07-1L, 15.01-5L
<i>Neighbourhood Character Study and New Residential Zones Methodology and Implementation Report</i> (City of Boroondara, October 2013)	C190 - Clauses 13.07-1L, 15.01-5L, 16.01-3L
<i>Parking Management Policy</i> (City of Boroondara, 2006, updated November 2017)	C229 - Clauses 18.02-3L, 18.02-4L
Red House Heritage Citation, May 2020	C305boro - Clause 43.01
<i>Review of B-graded Buildings in Kew, Camberwell and Hawthorn</i> (City of Boroondara, January 2007, updated June 2007 and November 2009) Volumes 1, 2 and 3.	C64 - Clause 15.03-1L
<i>Review of C* Grade Buildings in the Former City of Hawthorn</i> (City of Boroondara, September 2006, updated June 2007 and November 2009) Volumes 1 and 2.	C64 - Clause 15.03-1L
Sanders House (former), 25 Burroughs Road, Balwyn Heritage Citation (Built Heritage, July 2024)	C398boro - Clause 43.01
Seegar House, 26 Goldthorns Avenue, Kew Heritage Citation, March 2022	C353boroPt2 - Clause 43.01
<i>Single Dwelling Covenant Policy</i> (June 2011)	C229 - Clause 15.01-5L
Skye, 97 Argyle Road, Kew Heritage Citation, March 2022	C353boroPt2 - Clause 43.01
<i>Surrey Hills and Canterbury Hill Estate Heritage Study</i> (2014, updated 2016)	C177 - Clause 15.03-1L
<i>Surrey Hills North Residential Precinct Citation</i> (2014, updated 2014)	C150 - Clause 15.03-1L
Summer House and Cliff House - Heritage Citation, Extent Heritage, June 2021	C362boro - Clause 43.01
<i>Technical Bulletin 8.1: Fences & Gates</i> (National Trust of Australia (Victoria), 1988)	C66 - Clause 15.03-1L
<i>Thematic Environmental History</i> (City of Boroondara, 2012)	C229 - Clause 15.03-1L
<i>Union Road Commercial Precinct Citation</i> (City of Boroondara, 2011)	C148 - Clause 15.03-1L

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Name of background document	Amendment number - clause reference
<i>Union Road Residential Precinct Citation</i> (City of Boroondara, 2011, updated 2014)	C150 - Clause 15.03-1L
<i>Urban Biodiversity Strategy 2013-2023</i> (City of Boroondara, 2013)	C229 - Clauses 12.01-1L, 12.03-1L, 13.03-1L, 15.02-1L and 19.02-6L
Wentworth Heritage Citation, May 2020	C305boro - Clause 43.01
<i>West Hawthorn Urban Design Framework</i> (David Lock Associates, 2006)	C69 - Clauses 11.03-6L, 15.01-1L
<i>Yarra Bend Park Strategy Plan</i> (Parks Victoria, 1999)	VC197 - Schedule 1 to Clause 42.03

MEANING OF TERMS

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.

GENERAL TERMS

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 <i>Planning and Environment Act 1987</i> .
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 <i>Building Regulations 1994</i> .
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 or small second dwelling	A domestic appliance or apparatus that is normal to and services a dwelling or small second 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.

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General term	Definition
Gaming machine	Has the same meaning as it has in the <i>Gambling Regulation Act 2003</i> .
Garden area	Any area on a lot with a minimum dimension of 1 metre that does not include: a) a dwelling, small second 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, small second 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, small second 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.

BOROONDARA PLANNING SCHEME

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, small second 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 <i>Conservation, Forests and Lands Act 1987</i> .
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 or small second 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.
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.
Street reserve	Land set aside for a street pavement and verge.

General term	Definition
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 <i>Public Administration Act 2004</i> ; 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.

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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.

SIGN TERMS

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.

73.0315/03/2024
VC256**LAND USE TERMS**

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	

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Land use term	Definition	Includes	Included in
		Corrective institution Dwelling Group accommodation Host farm Residential aged care facility Residential building Residential village Retirement village Small second dwelling	
Adult sex product shop	Land used to sell or hire sexually explicit material, including: a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i> ; 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

BOROONDARA PLANNING SCHEME

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.		

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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 <i>Circular Economy (Waste Reduction and Recycling) Act 2021</i> .		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
Bus terminal			Transport terminal
Camping and caravan park	Land used to allow accommodation in caravans, cabins, tents, or the like.		Accommodation

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
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
Community care accommodation	Land used to provide accommodation and care services. It includes permanent, temporary		Residential building

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Land use term	Definition	Includes	Included in
	and emergency accommodation. It may include supervisory staff and support services for residents and visitors.		
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 <i>Circular Economy (Waste Reduction and Recycling) Act 2021</i> . 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
Department store			Shop

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
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 Employment training centre Primary school Secondary school Tertiary institution	

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Land use term	Definition	Includes	Included in
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	
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

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Land use term	Definition	Includes	Included in
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
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

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
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 <i>Geothermal Energy Resources Act 2005</i> .		Earth and energy resources industry
Geothermal energy extraction	Land used for geothermal energy extraction as defined in the <i>Geothermal Energy Resources Act 2005</i> .		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: <i>Emergency feeding</i> means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land; <i>Seasonal feeding</i> 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;		Animal production

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Land use term	Definition	Includes	Included in
	<i>Supplementary feeding</i> 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 <i>Greenhouse Gas Geological Sequestration Act 2008</i> .		Earth and energy resources industry
Greenhouse gas sequestration exploration	Land used for greenhouse gas sequestration formation exploration as defined in the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .		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.		
Horse husbandry	Land used to keep, breed, board or train horses.	Horse riding school Horse stables	Animal husbandry
Horse riding school			Horse husbandry
Horse stables			Horse husbandry
Horticulture	Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.	Market garden	Crop raising

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
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; 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.	Materials recycling Refuse disposal Transfer station Research and development centre Rural industry Service industry	

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	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 Motor racing track	
Library			Place of assembly
Liquid fuel depot	Land used to store, sell by wholesale, and distribute fuel.		Fuel depot

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Land use term	Definition	Includes	Included in
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 <i>Mineral Resources (Sustainable Development) Act 1990</i> .		Earth and energy resources industry
Mining	Land used for mining as defined in the <i>Mineral Resources (Sustainable Development) Act 1990</i> .		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	Leisure and recreation

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Land use term	Definition	Includes	Included in
		Informal outdoor recreation Open sports ground Outdoor recreation facility Restricted recreation facility	
Minor utility installation	Land used for a utility installation comprising any of the following: a) sewerage or water mains; b) storm or flood water drains or retarding basins; c) flow measurement device or a structure to gauge waterway flow; d) siphons, water storage tanks, disinfection booster stations and channels; e) gas mains providing gas directly to consumers; f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood; g) a pumping station required to serve a neighbourhood; h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; i) an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction; or j) a battery connected to a section of the electricity distribution network operating with a nominal voltage not exceeding 66,000 volts.	Water retarding basin	Utility installation
Mooring pole			Marina
Motel	Land used to provide accommodation in serviced rooms for persons away from their normal		Residential hotel

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Land use term	Definition	Includes	Included in
	place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.		
Motor racing track	Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.		Leisure and recreation
Motor repairs	Land used to repair or service motor vehicles, and includes the fitting of accessories.	Panel beating	Service industry
Motor vehicle, boat, or caravan sales	Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.	Car sales	Retail premises
Museum	Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.		Exhibition centre
Natural systems	Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.		
Nightclub	A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.		Place of assembly
Office	Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.	Bank Electoral office Electorate office Medical centre Real estate agency Travel agency	
Open sports ground	Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or		Minor sports and recreation facility

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.		
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 <i>Petroleum Act 1998</i> .		Earth and energy resources industry
Petroleum production	Land used for petroleum production as defined in the <i>Petroleum Act 1998</i> .		Earth and energy resources industry
Pier			Marina
Pig farm	Land used to keep or breed pigs.		Animal production
Place of assembly	Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.	Amusement parlour Carnival Cinema Cinema-based entertainment facility Circus Drive-in theatre Exhibition centre Function centre Hall Library Nightclub Place of worship	

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
		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
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	

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
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, dwelling, group accommodation, host farm, residential village, retirement village or small second dwelling.	Community care accommodation Residential hotel Rooming house Rural worker accommodation	Accommodation
Residential hotel	Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least	Motel	Residential building

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	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.		
Residential village	Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.		Accommodation
Restaurant	Land used to prepare and sell food and drink, for consumption on the premises. It may include: a) entertainment and dancing; and b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.		Food and drink premises
Restricted place of assembly	Land used by members of a club or group, or by members' guests, for religious, spiritual or cultural activities, entertainment, or meetings. It may include food and drink for consumption on the premises, and gaming.		Place of assembly
Restricted recreation facility	Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members' guests, or by the public on payment of a fee.		Minor sports and recreation facility
Restricted retail premises	Land used to sell or hire: a) automotive parts and accessories; b) camping, outdoor and recreation goods c) electric light fittings;	Equestrian supplies Party supplies	Shop

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	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.		
Retail premises	Land used to: a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.	Food and drink premises Gambling premises Landscape gardening supplies Manufacturing sales Market Motor vehicle, boat, or caravan sales Postal agency Primary produce sales Shop Trade supplies	

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
Retirement village	Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.		Accommodation
Rice growing			Crop raising
Road freight terminal			Transport terminal
Rooming house	Land used for a rooming house as defined in the <i>Residential Tenancies Act 1997</i> .		Residential building
Rural industry	Land used to: a) handle, treat, process, or pack agricultural produce; b) service or repair plant, or equipment, used in agriculture; or c) manufacture mud bricks.	Abattoir Sawmill	Industry
Rural store	Land used to store unprocessed agricultural produce, or products used in agriculture.		Store
Rural worker accommodation	Land used to accommodate a person engaged in agricultural production, away from their normal place of residence.		Residential building
Saleyard	Land used to hold, sell, and buy farm animals.		
Sawmill	Land used to handle, cut, and process timber from logs.		Rural industry
Secondary school			Education centre
Service industry	Land used to launder, repair, service or wash articles, machinery, or vehicles.	Car wash Dry cleaner Motor repairs	Industry
Service station	Land used to sell motor vehicle fuel from bowzers 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;		

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	d) servicing or washing of motor vehicles; and e) installing of motor vehicle accessories or parts.		
Sex services premises	Land used to sell services involving the use or display of the body of the person providing the service for the sexual arousal or sexual gratification of another person while they are present on the land. It does not include: - Live entertainment performed for an audience, by a person performing an act of an explicit sexual nature, such as lap dancing, nude dancing and striptease. - Sexual activities engaged in by two or more people required to pay an admission fee or charge to enter the premises on the same terms and who do not receive any form of payment or reward, whether directly or indirectly, for engaging in the sexual activities.		Shop
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;	Adult sex product shop Beauty salon Bottle shop Convenience shop Dry cleaning agent Department store Hairdresser Laundromat Restricted retail premises Sex services premises	Retail premises

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	- motor vehicle, boat, or caravan sales; - postal agency; - primary produce sales; or - trade supplies.	Supermarket	
Sign			
Slipway			Boat launching facility
Small second dwelling	A building with a gross floor area of 60 square metres or less, on the same lot as an existing dwelling and 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.		Accommodation
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	Warehouse

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
		Rural store Shipping container storage Vehicle store	
Supermarket			Shop
Take away food premises	Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.		Food and drink premises
Telecommunications facility	Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.		Utility installation
Tertiary institution			Education centre
Timber production	Land used to propagate, cultivate, manage and harvest timber.		Crop raising
Timber yard	Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.		Trade supplies
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	Timber yard	Retail premises

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	h) local government, government departments or public institutions.		
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
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.		

BOROONDARA PLANNING SCHEME

Land use term	Definition	Includes	Included in
	It may include keeping the animals on the premises for treatment.		
Warehouse	Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.	Commercial display area Fuel depot Mail centre Milk depot Store	
Waste-to-energy facility	Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.		Energy generation facility
Water retarding basin	Land used to store storm or flood water on a temporary basis.		Minor utility installation
Wharf	Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.		Transport terminal
Wind energy facility	Land used to generate electricity by wind force. It includes land used for: a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer. 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

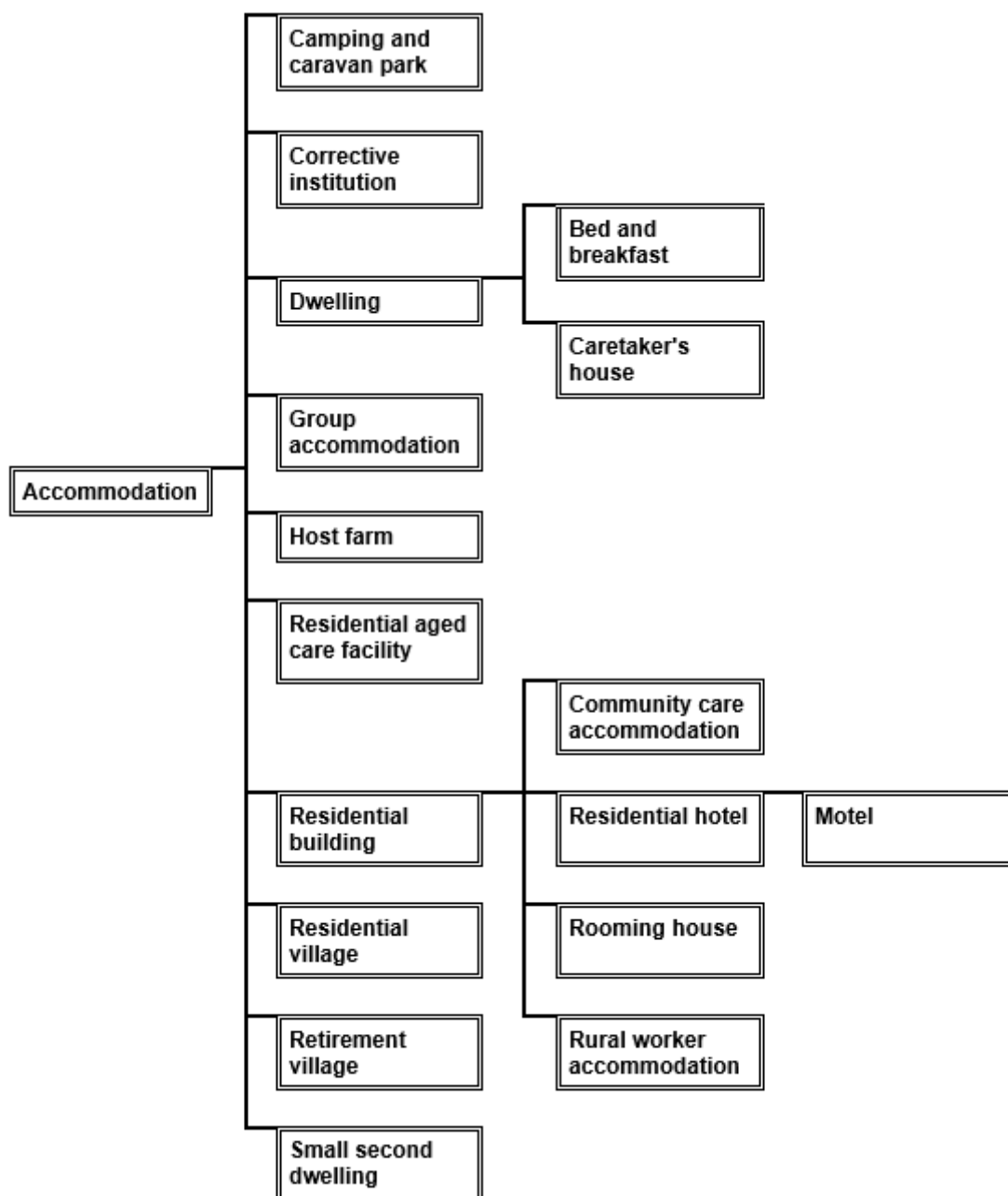
73.0408/08/2019
VC159**NESTING DIAGRAMS**

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.

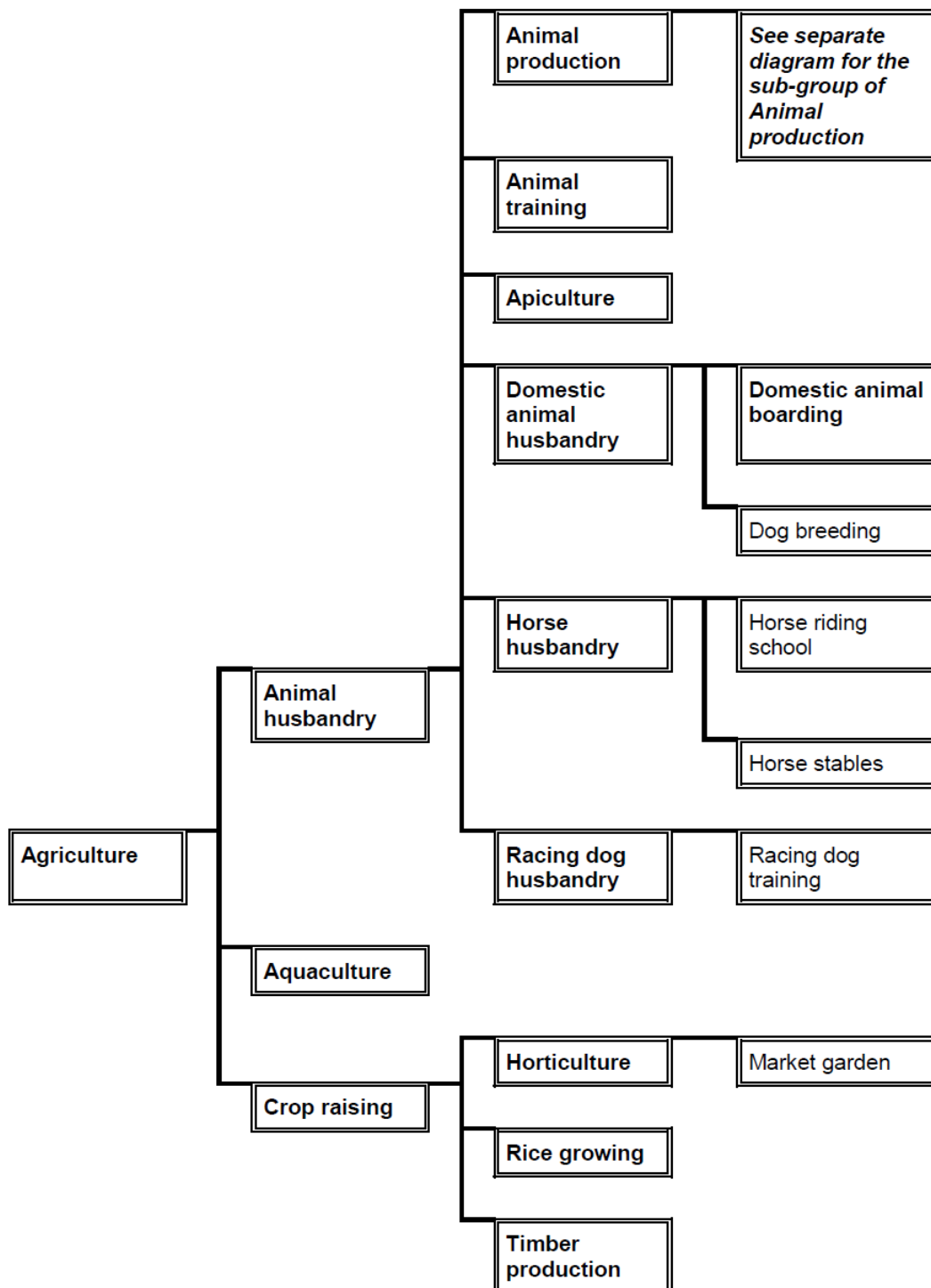
Land use terms in bold font are defined in Clause 73.03.

73.04-114/12/2023
VC253**Accommodation group**

73.04-2

08/08/2019
VC159

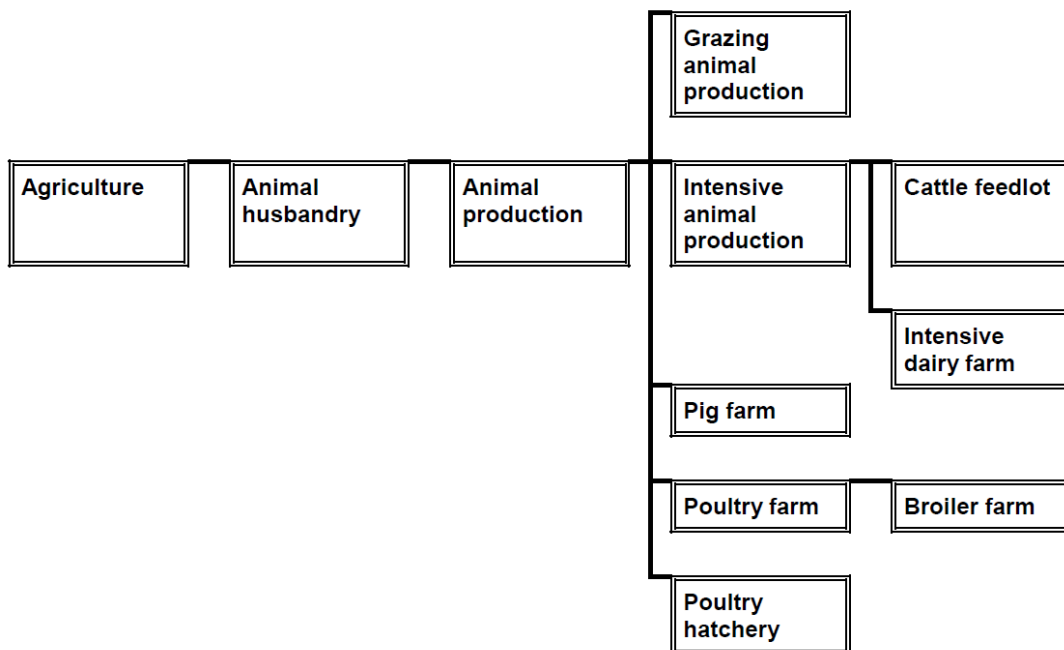
Agriculture group



73.04-3

24/01/2020
VC160

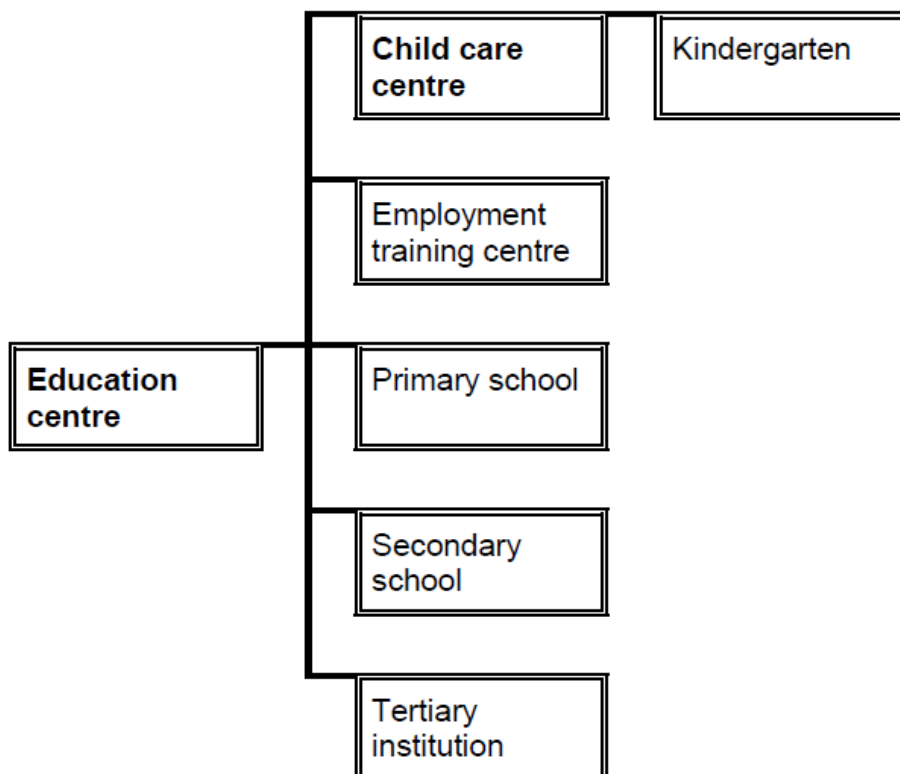
Agriculture group (sub-group of Animal production)

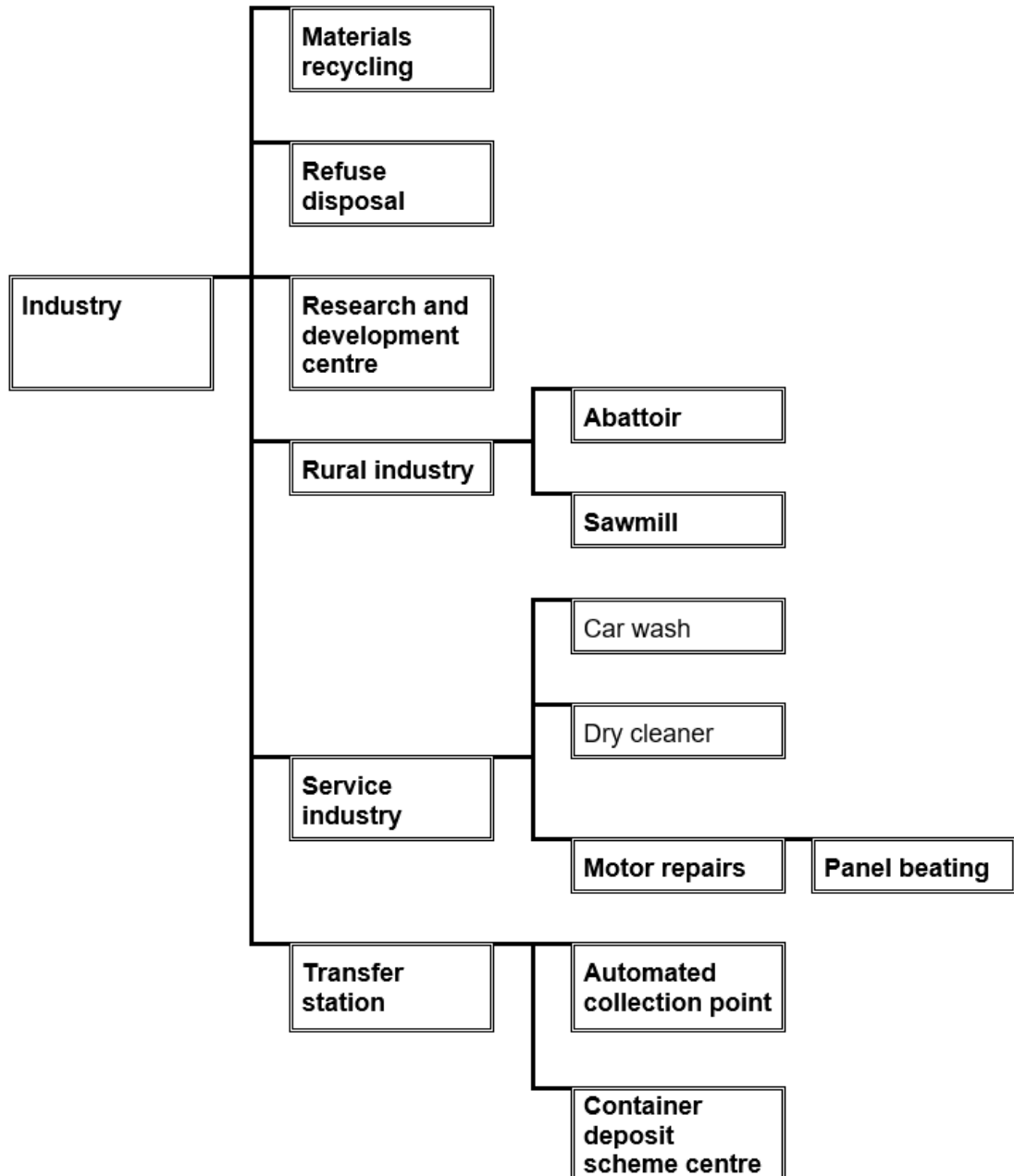


73.04-4

24/01/2020
VC160

Education centre group

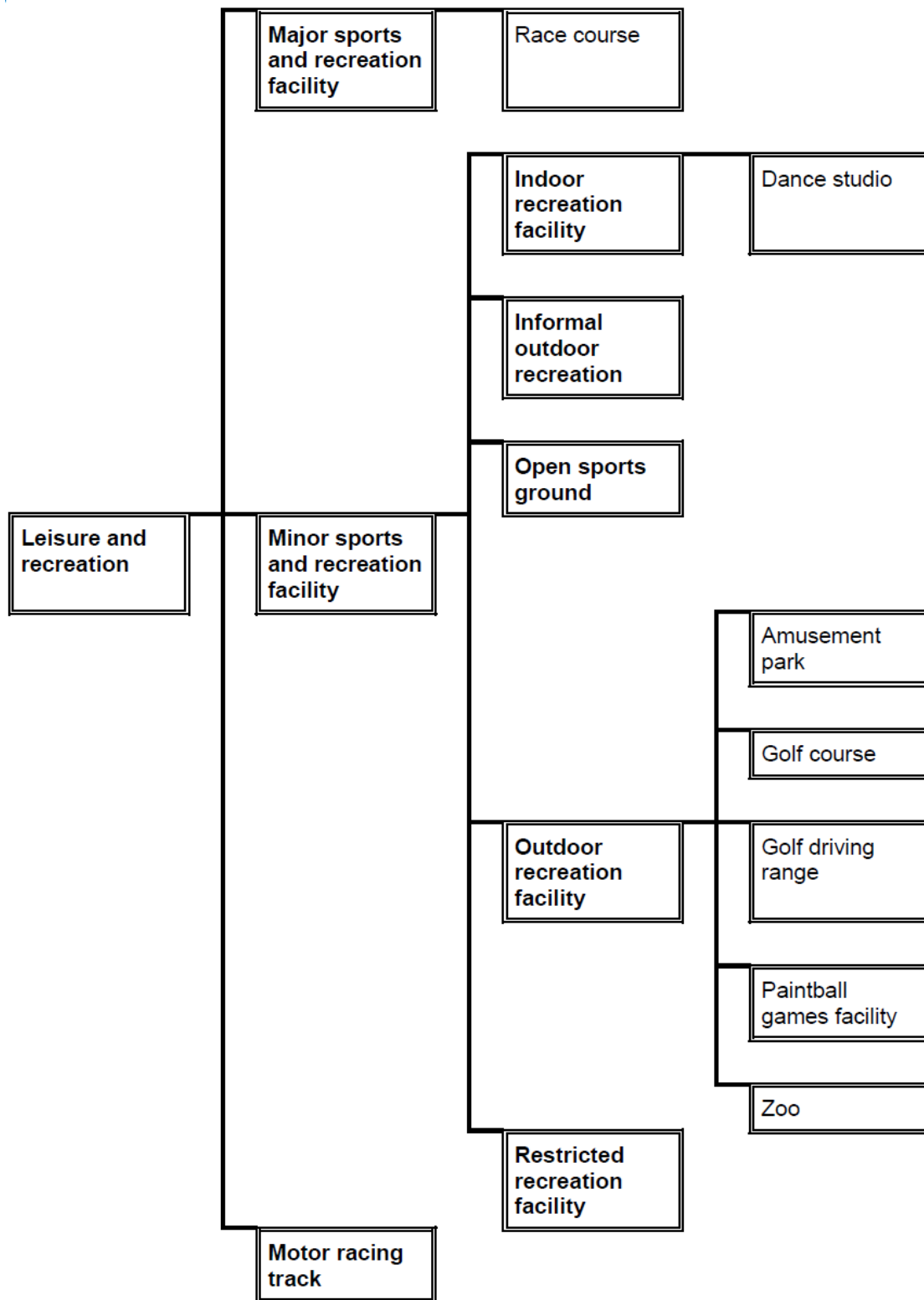


73.04-526/09/2023
VC246**Industry group**

73.04-6

16/08/2019
VC163

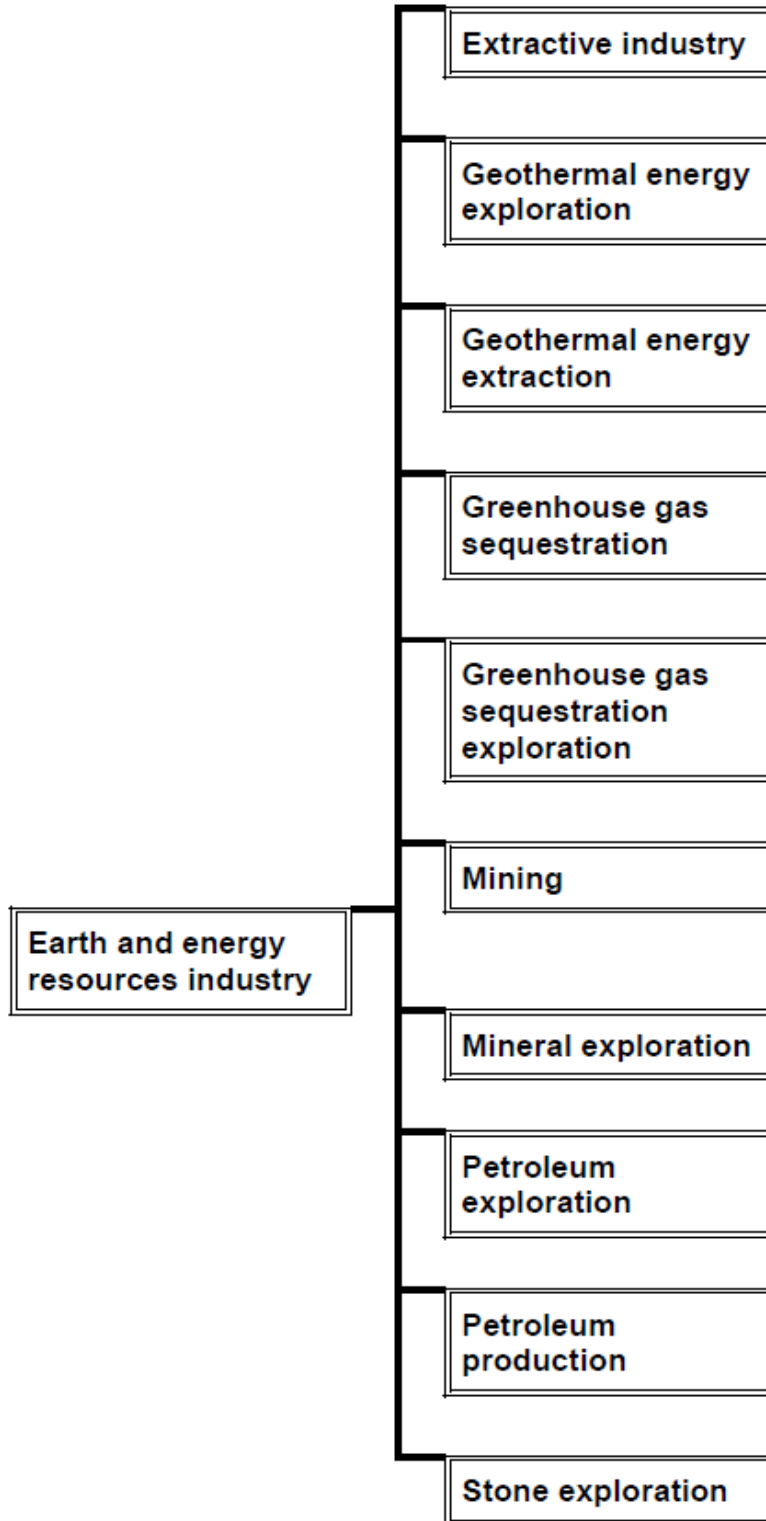
Leisure and recreation group

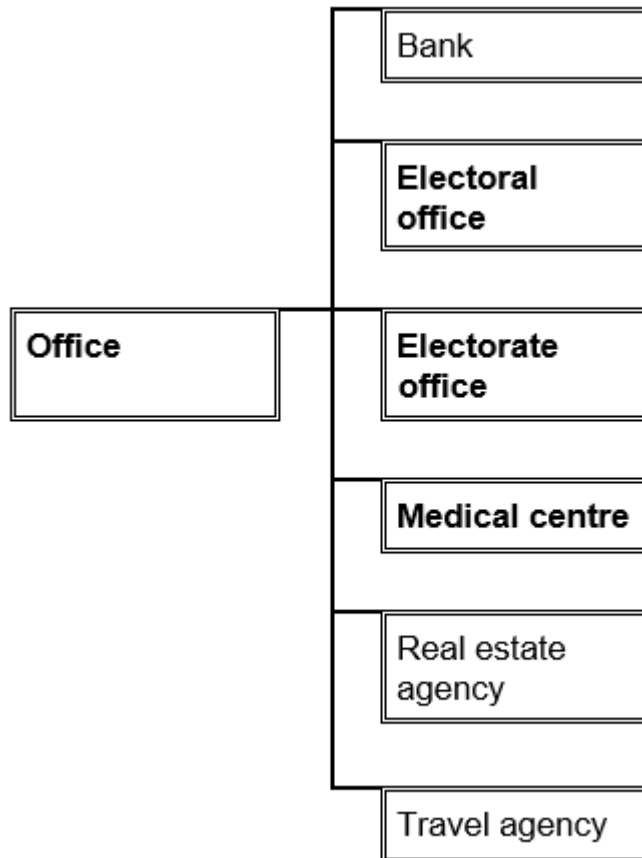


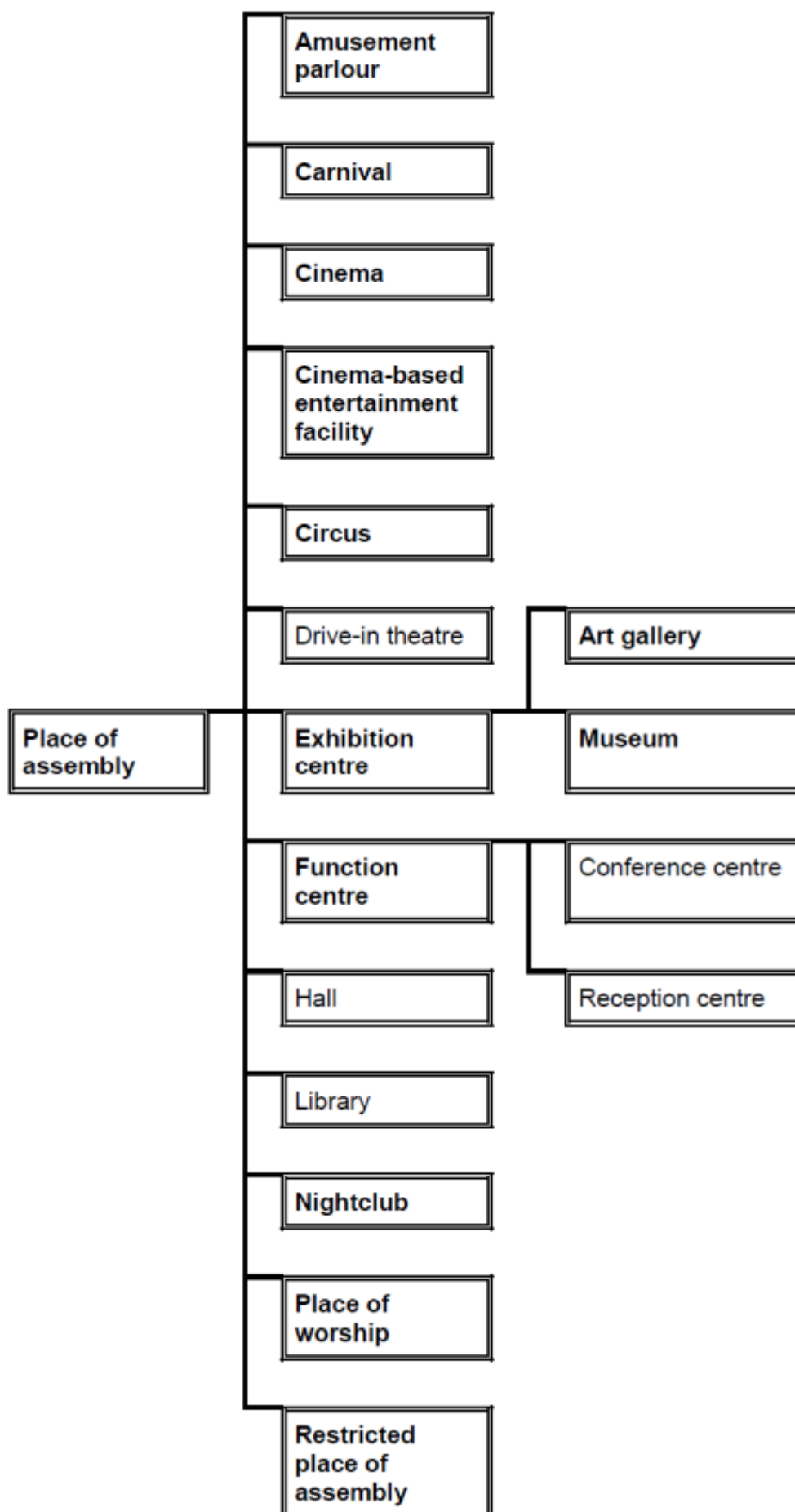
73.04-7

24/01/2020
VC160

Earth and energy resources group



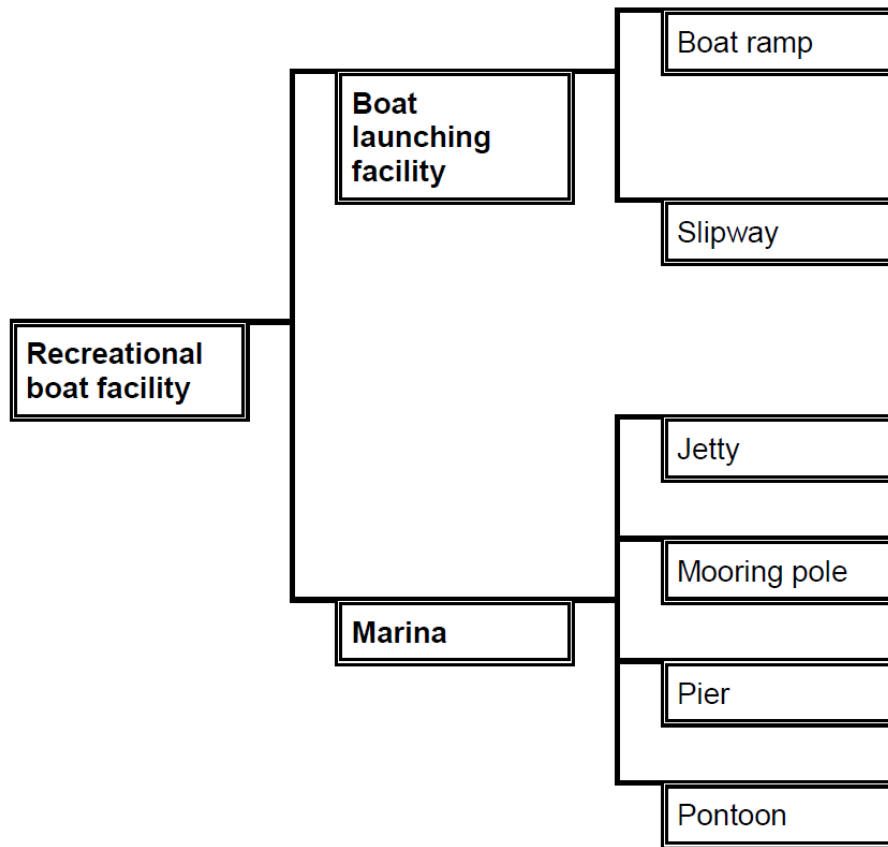
73.04-828/10/2022
VC224**Office group**

73.04-916/08/2019
VC163**Place of assembly group**

73.04-10

24/01/2020
VC160

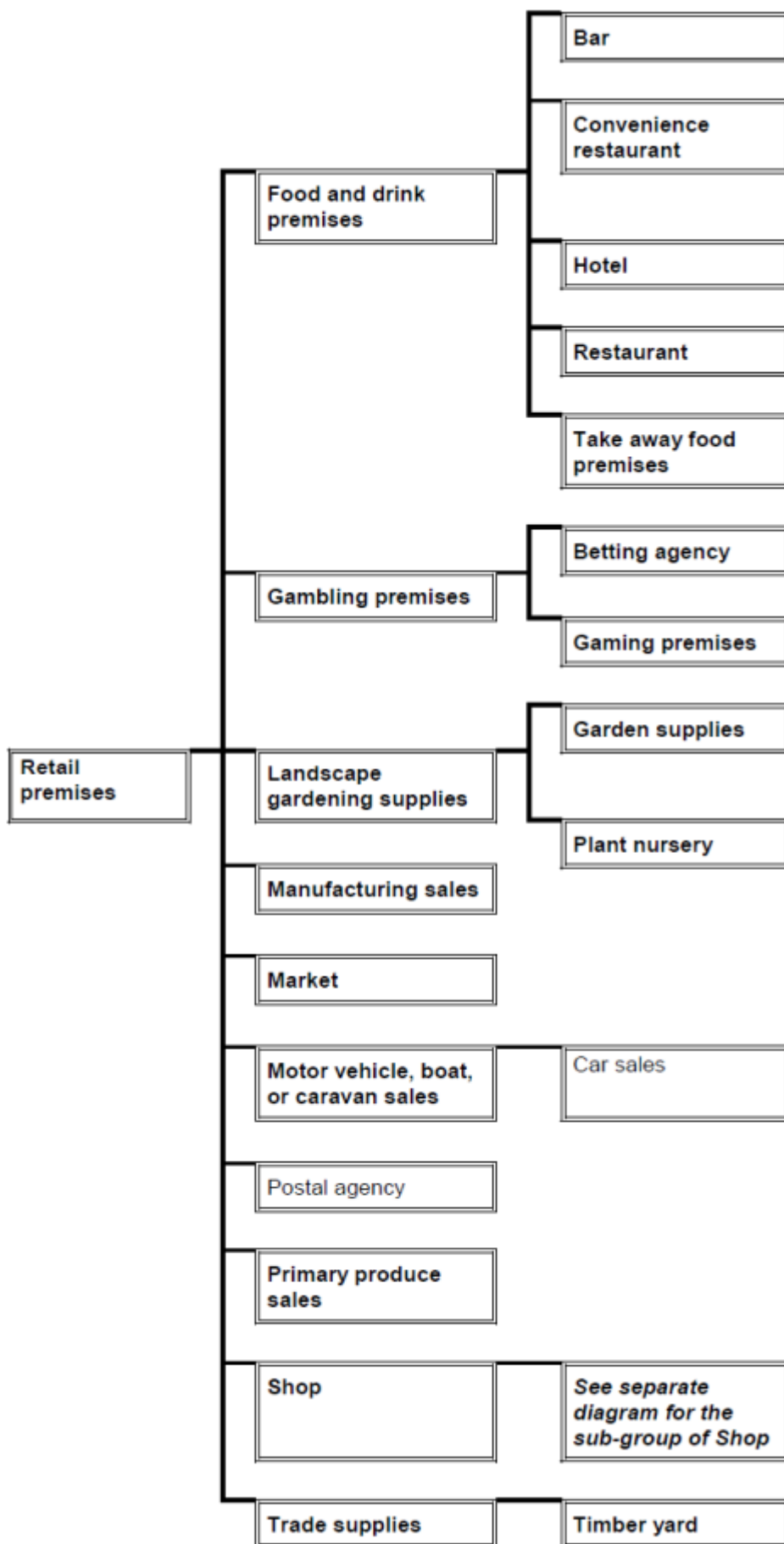
Recreational boat facility group



73.04-11

16/08/2019
VC163

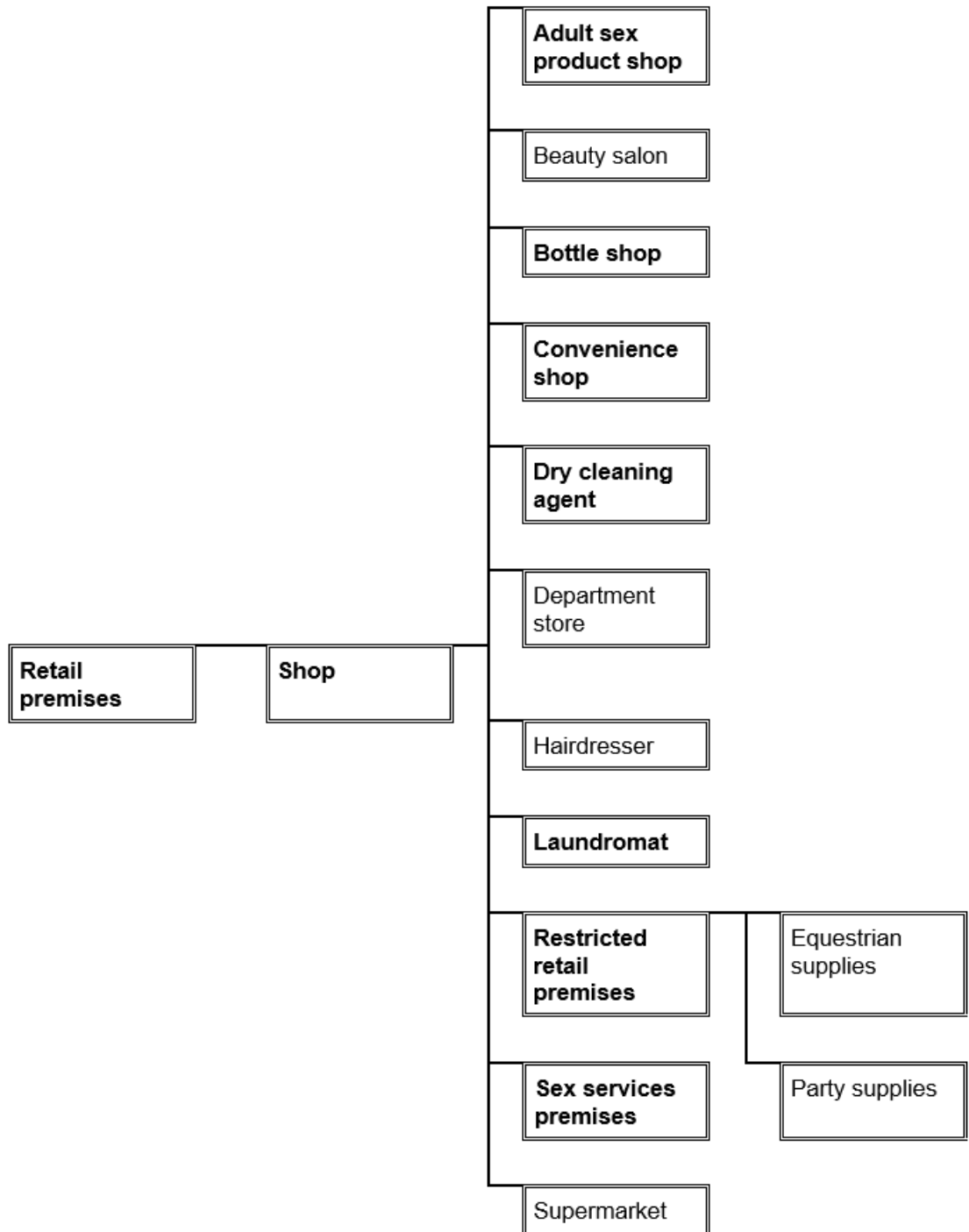
Retail premises group



73.04-12

01/12/2023
VC217

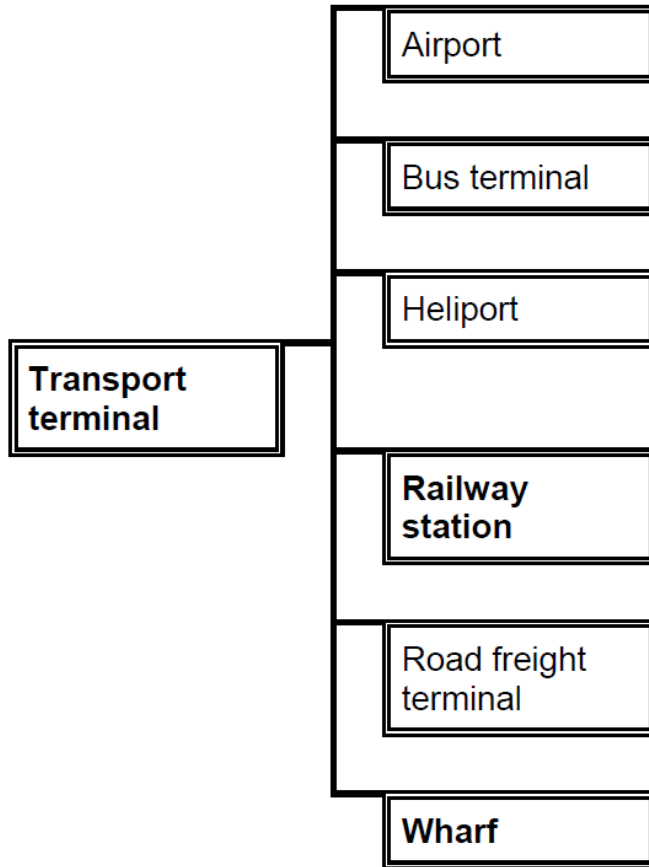
Retail premises group (sub-group of Shop)



73.04-13

24/01/2020
VC160

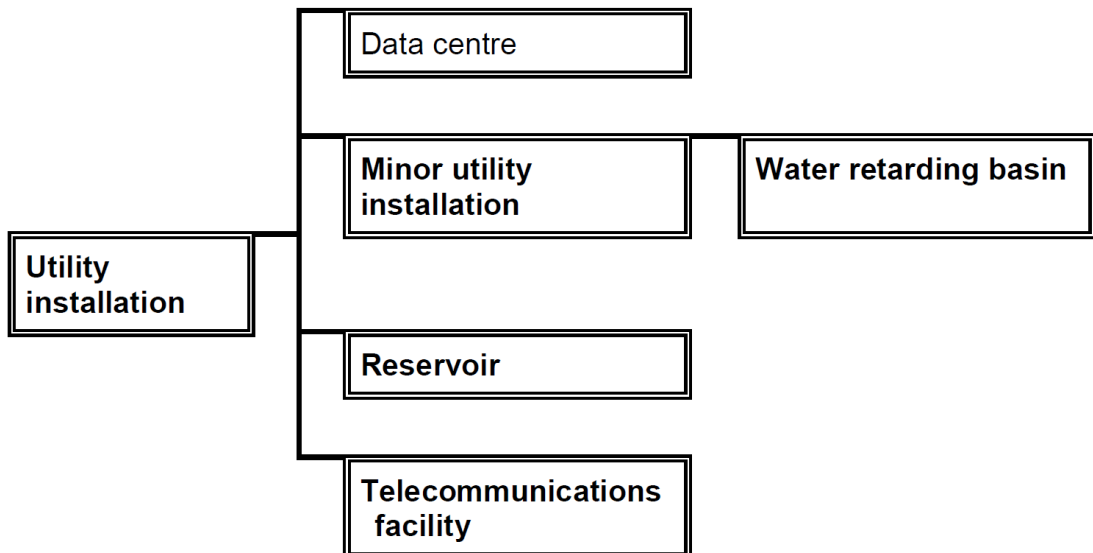
Transport terminal group

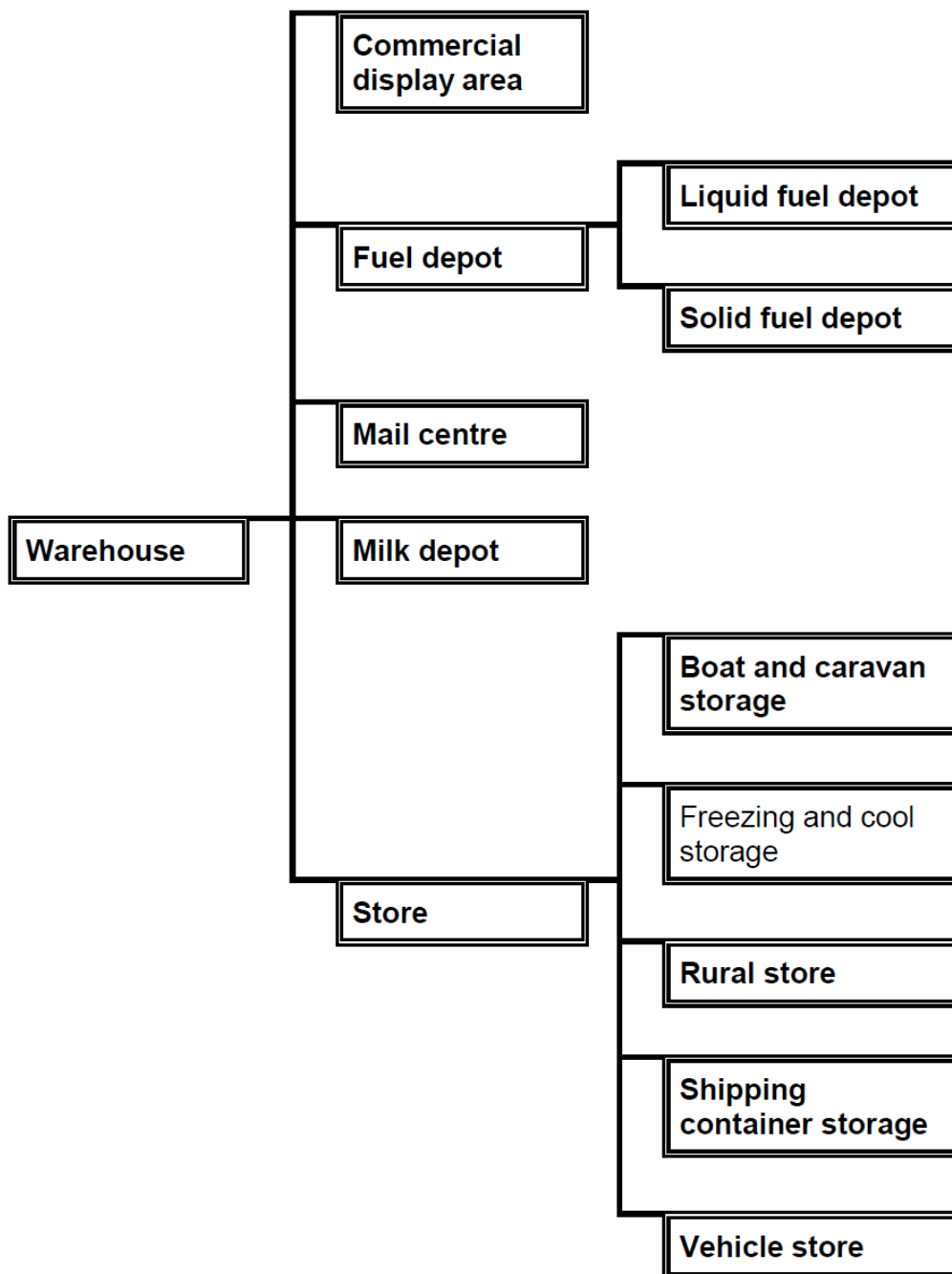


73.04-14

08/08/2019
VC159

Utility installation group

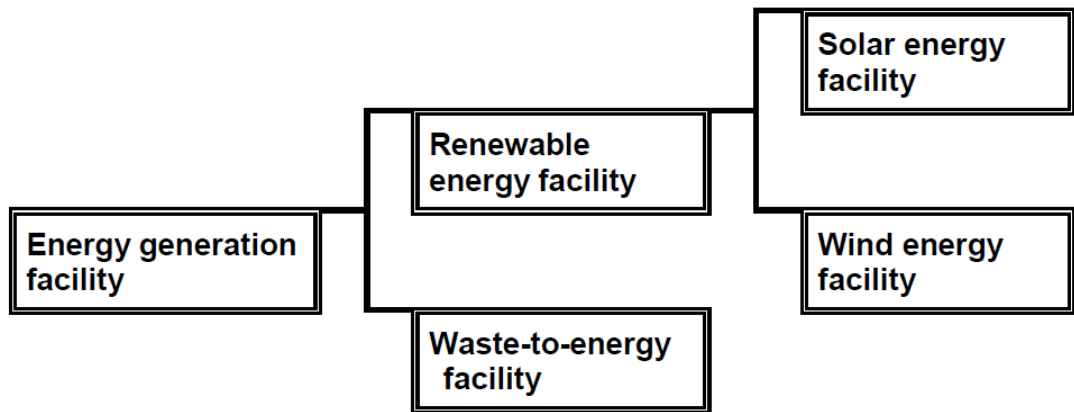


73.04-1524/01/2020
VC160**Warehouse group**

73.04-16

24/01/2020
VC160

Energy Group



73.04-17

01/12/2023
VC217

Land use terms that are not nested

Art and craft centre
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

74.01

31/07/2018
VC148

APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

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.

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS**1.0**11/04/2025
GC252**Application of zones, overlays and provisions**

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:

Zones

- Residential zones in a way that recognises established neighbourhood character.
- Mixed Use Zone (MUZ) to facilitate higher density development north of Toorak Road between Auburn Road and Tooronga Road, Hawthorn.
- Mixed Use Zone (MUZ) to the former Hawthorn Tram Depot, and the precinct on the north side of Toorak Road between Auburn and Tooronga Roads in Hawthorn, to reflect the predominant residential use and amenity of the area while allowing for some mix of office use.
- Housing Choice and Transport Zone (HCTZ) to encourage higher density development in the catchment area surrounding the Camberwell Junction Activity Centre.
- General Residential Zone - Schedule 4 (GRZ4) to facilitate higher density housing on residential land within the boundaries of the Hawthorn–Glenferrie Road Activity Centre.
- General Residential Zone - Schedule 4 (GRZ4) to facilitate higher density housing on residential land within the boundaries of the Camberwell Junction Major Activity Centre.
- General Residential Zone - Schedule 4 (GRZ4) to facilitate higher density housing on residential land within the boundaries of the Kew Junction Major Activity Centre.
- General Residential Zone - Schedule 4 (GRZ4) to residential land within centre boundaries.
- Commercial 1 Zone (C1Z) to commercial land within the boundaries of the centre to facilitate land use outcomes in the Camberwell Junction Major Activity Centre consistent with the Camberwell Junction Structure and Place Plan (2024).
- Commercial 1 Zone (C1Z) to commercial land within the boundaries of the centre to facilitate land use outcomes in the Kew Junction Major Activity Centre consistent with the Kew Junction Activity Centre Structure Plan (2011).
- Commercial 1 Zone (C1Z) to commercial land within the centre to facilitate land use outcomes in the Hawthorn–Glenferrie Road Major Activity Centre consistent with the Glenferrie: Heart of Hawthorn Structure Plan (2011).
- Commercial 1 Zone (C1Z) to facilitate retail uses and mixed use development consistent with the primary purpose of the zone.
- Commercial 1 Zone (C1Z) to most commercial areas to encourage higher density residential development to locate in appropriate locations within commercial centres.
- Commercial 2 Zone (C2Z) to facilitate commercial, appropriate manufacturing and light industry, and bulky goods retailing consistent with the primary purpose of the zone.
- Public Use Zone (PUZ) where appropriate for the supply of public infrastructure by public authorities.
- Public Park and Recreation Zone (PPRZ) to areas identified for public recreation and open space.
- Public Conservation and Resource Zone (PCRZ) to identified areas of high natural environmental value, including Beckett Park.
- Road Zone, Category 1 (RDZ1) to roads declared as freeways or arterial roads pursuant to the Road Management Act 2004.

- Special Use Zone (SUZ) to Green Acres Golf Club and Kew Golf Club.
- Special Use Zone (SUZ) to Scotch College.
- Urban Floodway Zone (UFZ) (as advised by Melbourne Water) to privately owned land which is located within an active floodway.
- Priority Development Zone (PDZ) to the Tooronga Village site.

Overlays

- Environmental Significance Overlay - Schedule 2 (ESO2) Beckett Park Environmental Significance Area to areas of high biodiversity value and landscape significance.
- Vegetation Protection Overlay - Schedule 1 (VPO1) to the Willsmere area and the Yarra Bend Park.
- Vegetation Protection Overlay - Schedule 2 (VPO2) to Kew Residential Services.
- Heritage Overlay (HO) to protect all individual heritage places and identified heritage precincts of cultural, natural and aboriginal heritage significance.
- Design and Development Overlay - Schedule 1 (DDO1) to ensure development at Willsmere is compatible with the character and landscape of the area.
- Design and Development Overlay - Schedule 2 (DDO2) to the Willsmere Historical Building Area to ensure sympathetic development.
- Design and Development Overlay - Schedule 4 (DDO4) to protect the distinctive character of Monomeath Avenue.
- Design and Development Overlay - Schedule 6 (DDO6) to ensure an appropriate built form design outcome at the former Hawthorn Tram Depot.
- Design and Development Overlay - Schedule 7 (DDO7) to ensure an appropriate built form design outcome at 5-9 Burwood Road, Hawthorn.
- Design and Development Overlay - Schedule 12 (DDO12) to the West Hawthorn Area to implement the *West Hawthorn Urban Design Framework*.
- Design and Development Overlay - Schedule 14 (DDO14) to the Kew Junction Activity Centre to implement the *Kew Junction Structure Plan*.
- Design and Development Overlay - Schedule 15 (DDO15) to the Glenferrie Activity Centre to implement the *Glenferrie Structure Plan*.
- Design and Development Overlay - Schedule 16 (DDO16) to the Neighbourhood Centres to guide built form outcomes.
- Design and Development Overlay - Schedule 17 (DDO17) to the Commercial Corridors to guide built form outcomes.
- Design and Development Overlay - Schedule 19 (DDO19) to 32-36 Princess Street and 11-15 Brougham Street, Kew to guide built form outcomes on these sites.
- Design and Development Overlay - Schedule 23 (DDO23) to the Maling Road area.
- Design and Development Overlay - Schedule 31 (DDO31) Yarra (Birrarung) River Corridor Protection to the Yarra River Corridor to ensure that development does not have a detrimental impact upon the corridor.
- Development Plan Overlay - Schedule 2 (DPO2) to private institutions in a residential area in a residential zone to ensure the preparation of Masterplans.
- Development Plan Overlay - Schedule 2 (DPO2) to all hospitals and primary, secondary or tertiary educational facilities in a residential zone to ensure the preparation of Masterplans.

BOROONDARA PLANNING SCHEME

- Development Plan Overlay - Schedule 3 (DPO3) to Kew Residential Services to guide redevelopment of the site.
- Land Subject to Inundation Overlay (LSIO) to identified land in a flood storage or flood fringe area affected by the 1 in 100 year flood.
- Special Building Overlay (SBO) to those areas along the Melbourne Water main drainage lines as being subject to overland flow.
- Public Acquisition Overlay (PAO) to ensure that adequate provision is made for new main roads and widening as advised by the Roads Corporation.
- Parking Overlay (PO) to manage parking provision in commercial areas.
- Flood Overlay (FO) to hazardous areas and to maintain or improve river, wetland and flood plain health.
- Built Form Overlay (BFO) to the Camberwell Junction Activity Centre.

74.02

31/07/2018
VC148

FURTHER STRATEGIC WORK

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.

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK**Further strategic work****Settlement**

- Prepare and implement planning controls for local centres.
- Review General Residential Zone - Schedule 4 land in neighbourhood centres to determine the most appropriate zone for this land.
- Review General Residential Zone - Schedule 4 land in the Kew Junction Structure Plan area to determine the most appropriate zone for this land.
- Review General Residential Zone - Schedule 4 land in the Glenferrie Structure Plan area to determine the most appropriate zone for this land.
- Develop a transport access plan including for sustainable transport modes for Kew Junction and Glenferrie.

Environmental Risks and Amenity

- Review the effectiveness of existing zones and overlays over significant sites and waterways.
- Consider protecting significant sites and corridors identified in The Inventory and Assessment of Indigenous Flora and Fauna in Boroondara through zones and overlays.
- Investigate the need for new Environmental Significance Overlays (ESO) to enhance protection of local waterways and natural corridors.
- Investigate the provision of additional open space in areas subject to population increase.
- Carry out updated flood mapping for areas beyond the current Special Building Overlay (SBO) and amend the overlay area as appropriate.
- Investigate the need for an Environmentally Sustainable Design and/or Water Sensitive Urban Design Policy.
- Prepare an Urban Forest Strategy to facilitate an increase in the number of mature canopy trees in the public realm.

Built Environment and Heritage

- Review the Signs Policy.
- Undertake assessments of possible heritage places.
- Undertake a review of heritage precincts covered by the Heritage Overlay.

Housing

- Investigate the need for a Student Housing Policy.
- Investigate potential ResCode variations through residential zones schedules to ensure site responsive design for residential development.

Transport

- Investigate an east-west bicycle route (e.g. Hawthorn to Box Hill Trail) along the railway corridor to fill network gap between the Main Yarra Trail and the Anniversary/Outer Circle Trail.
- Investigate the need for new Public Acquisition Overlays to complete missing links in Boroondara's bicycle network.
- Investigate the use of safe on-road bicycle routes to connect activity centres, public transport hubs, schools and institutions.

BOROONDARA PLANNING SCHEME

- Investigate a North East Bicycle Corridor (NEBC) as a direct extension of the Main Yarra Trail to encourage active transport and recreation.
- Identify the Principal Pedestrian Network across Boroondara and update the Boroondara Planning Scheme.

Infrastructure

- Investigate a Development Contributions Policy or Overlay to allow for a levy on development to support the provision of new and upgraded infrastructure.