# Golden Plains Planning Scheme

PLANNING SCHEME

# 00 PURPOSE AND VISION

02/09/2025
VC283

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

## ACKNOWLEDGEMENT OF COUNTRY

The Victorian Government acknowledges Traditional Owners in Victoria as the custodians of Country. We acknowledge their extraordinary strength and resilience in the face of historical and ongoing social, economic and legal injustices, maintaining their connection to Country.

We pay our respects to Elders past and present, whose knowledge and wisdom have ensured the continuation of spiritual and cultural practices. We also acknowledge the diversity of First Peoples' communities in Victoria.

We acknowledge that the long-lasting, far-reaching and intergenerational consequences of colonisation and dispossession continue to exist today and continue to cause harm. Colonisation has left entrenched systemic and structural racism and suffering, including through the laws and policies of the Colony of Victoria, which specifically excluded First Peoples and their laws, lores, customs, languages and cultures. The Victorian Government has a responsibility to transform its systems and service delivery so First Peoples have decision-making power over matters that directly affect them.

To address this exclusion, the Victorian Government commits to ongoing engagement with Traditional Owners and First Peoples to restore and strengthen their rights in this planning scheme.

# 01 PURPOSES AND VISION FOR VICTORIA

02/09/2025
VC283

## 01.01 PURPOSES OF THIS PLANNING SCHEME

02/09/2025
VC283

- 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.

## 01.02 VISION FOR VICTORIA

02/09/2025
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### THE PEOPLE'S PANEL VISION FOR VICTORIA

By 2050 Victoria will be a vibrant, accessible and connected community, valued for its diverse cultures, sustainable environmental practices and respect for the First Peoples of Victoria.

Building a state which provides choices and opportunities for current and future generations of Victorians in quality housing, transport, employment, environment and connectivity, will require input from community, government, local businesses and industry alike.

We will create a society that caters to the unique needs of all Victorians, nurturing individual health through physical and cultural recreation.

# 02 MUNICIPAL PLANNING STRATEGY

09/07/2020
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## 02.01 CONTEXT

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The Wadawurrung people and the Eastern Maar peoples are the traditional inhabitants of the Golden Plains region and have been present for at least 40,000 years.

Golden Plains Shire has a total area of 2,705 square kilometres and is located south of Ballarat, north west of Geelong and approximately 70 kilometres south-west of Melbourne. The Shire shares a boundary with the Shires of Colac Otway, Corangamite, Pyrenees, Moorabool and Surf Coast and the Cities of Ballarat and Greater Geelong. Ballarat and Geelong play an important role as the service centres for the north and south of Golden Plains Shire.

The Shire is included in two regional planning areas in the Planning Policy Framework. Land in the south of the municipality falls within the G21 Region and land in the north falls within the Central Highlands Region.

The Shire contains rich and diverse environmental, cultural and scenic landscapes including granite outcrops, deeply incised river valleys and wide open volcanic plains. These landscapes include post contact features including goldfields and station homesteads.

The Shire is home to the Enfield and Linton State Forests, Steiglitz Historic Park, Inverleigh Nature Conservation Reserve and part of the Brisbane Ranges National Park. The Shire also contains nationally significant roadside native grasslands and grassy woodland plains that are home to the endangered striped legless lizard and spiny rice flower.

The Shire is characterised by agricultural land used predominantly for grazing and cropping as well as other activities including intensive animal industries and wind farms. There are a large number of small townships as well as extensive natural forested areas, bushland areas and riverine gorges in the municipality.

In 2021, Golden Plains Shire had a population of 24,985 people (2021 Census, Australian Bureau of Statistics). The population is growing, with many young families and retirees moving to Golden Plains Shire, some as a result of the Geelong Bypass Ring Road, which has opened up a new catchment from the western suburbs of Melbourne.

Since the late 1990s, the Shire has consistently experienced some of the highest population growth rates in percentage terms of any municipality outside of the Melbourne metropolitan area. The high rate of growth is influenced by the Shire's proximity to Melbourne, Geelong and Ballarat. Recent population projections indicate that the population will continue to grow at current rates in the future.

## 02.02 VISION

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As outlined in the Council Plan, Golden Plains Shire is an inclusive, connected, resilient and safe community that prioritises liveability, sustainability and prosperity.

Council's vision is to sustainably manage land use and development within the Shire, including:

- Promoting the indigenous heritage and its connection to Traditional Owners.
- Providing a diversity of quality rural and urban living alternatives to balance growth while retaining a strong country feel.
- Preserving, protecting and enhancing the natural assets and environment.
- Supporting local producers, agriculture, small businesses and tourism as the key drivers of growth for the local economy.

# 02.03 STRATEGIC DIRECTIONS

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## 02.03-1 Settlement

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The Shire's population is dispersed, with the largest proportion of the population residing in Bannockburn, followed by Teesdale. All other townships have a population of less than 1000 people.

Each settlement performs important living, retail, service and community roles to residents and the rural community.

Settlement patterns are based on historic rural service centres and nineteenth century mining towns, which differ significantly between the north and south. The role of many towns has changed over time to one of commuting areas to the regional centres of Ballarat, Colac and Geelong.

The north-west has seen a proliferation of subdivisions and subsequent rural residential developments, many of which have developed into distinct communities. There is also a proliferation of rural living development in isolated areas devoid of appropriate infrastructure. All of the towns in the Central Highlands Water district are supplied with an interconnected, potable water supply. There is sufficient infrastructure capacity to cater for all anticipated growth over the next 20 years.

In the south-east, urban development is more focused around townships. All water is treated and the existing systems, with minor augmentations, are adequate to cater for the existing populations and anticipated growth in the immediate future.

The majority of growth has occurred in the settlements at the south-east and north-west as more people come from Melbourne and the regional cities looking for affordable housing and a country lifestyle, close to Ballarat and Geelong. In the south-east of the municipality, the population has increased rapidly by about 40 per cent between 2005 and 2015. In the north-west area, the population increased by approximately 6 per cent during the same period.

There is pressure for subdivision and development outside existing townships, particularly for subdivision and hobby farm development close to Geelong and Ballarat. Residential development is not supported outside existing township boundaries except where it is supported by the *Northern Settlement Strategy* (Golden Plains Shire, 2019).

With sufficient land being set aside for the moderate growth forecast across the Shire, no significant new areas of land need to be provided for residential development, except in Bannockburn where rezoning continues to be required to accommodate expected future growth, as identified in the *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021).

The towns of the Shire need to operate in clustered networks with key towns providing services and facilities utilised by towns within that network. Bannockburn, Meredith, Rokewood and Smythesdale provide the focus points for these clusters.

Council seeks to:

- Encourage the consolidation of townships, including directing residential development to within township boundaries.
- Maintain a clear distinction between urban and rural areas.
- Avoid urban development in unserviced areas.
- Direct residential development primarily to Smythesdale in the north-west and Bannockburn in the south-east.
- Consider growth and development in acccordance with the *Northern Settlement Strategy* (Golden Plains Shire, 2019).

### South East Area

The south-east area of the Shire is within a 15-kilometre radius from the Geelong bypass intersection with the Midland and Hamilton Highways. It excludes the Bannockburn and Batesford townships.

The south-east area is now within both the Geelong and the wider Melbourne metropolitan spheres. The completion of the Geelong bypass has increased the rate of change and the pressure to provide land for urban and rural residential development.

It has large flat open areas, together with a number of infrastructure and locational advantages that can be attractive to certain forms of development, including two railway lines, two State highways, access to a high-pressure natural gas pipeline and a high voltage electricity transmission line.

The south-east area will be supported by:

- Protecting the open rural landscape values in the corridor between the towns outside the Gheringhap Precinct.
- Managing growth to avoid ad hoc development outside township boundaries.

### North West Area

The north-west area of the Shire contains a mix of settlements, rural residential, rural living and rural areas.

A number of these settlements are strongly connected to the regional centre of Ballarat and provide an option for those seeking a different lifestyle and larger allotments. An opportunity exists to connect to services and infrastructure that are developing as a result of more intense development in the City of Ballarat, close to Golden Plains Shire in locations such as Haddon and Cambrian Hill that are identified for further investigation for future growth in the *Northern Settlement Strategy* (Golden Plains Shire, 2019).

Council intends to:

- Promote growth in Smythesdale.
- Support growth in Linton, Napoleons, Rokewood, Scarsdale and Meredith.
- Support growth in Ross Creek, Smythes Creek, Corindhap, Dereel, Cape Clear and Berringa in the form of infill development within existing Township, Low Density Residential or Rural Living Zones.
- Contain growth in Enfield, Garibaldi, Staffordshire Reef and Steiglitz.

### Townships

### Bannockburn

Bannockburn is the largest urban centre in Golden Plains Shire and a key regional centre within the Shire's network of townships across the south-east, serving residential, commercial and administrative functions. The sewering of the town, its rural ambience and proximity to Geelong have attributed to its strong growth in recent years. This growth, however, has also placed pressure on retaining the ambience that makes the town attractive.

The Bannockburn Flora and Fauna Reserve provides for the conservation of indigenous plants and animals, as well as recreational opportunities for the residents of Bannockburn. The reserve presents the highest bushfire risk to the Bannockburn Growth Area due to the level of vegetation, aspect and proximity to existing communities and future growth areas.

The bushfire risk to the Bannockburn township is also affected by surrounding grasslands and the nearby Inverleigh Nature Conservation Reserve.

Council seeks to support Bannockburn by:

- Accommodating all growth within Bannockburn's growth boundary, as identified in the *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021).
- Protecting the natural and built environment including environmental assets, the Bruce's Creek environs, town character and rural ambience.

- Providing an integrated and environmentally responsive open space network throughout Bannockburn township.
- Locating and designing new development to be bushfire responsive.

### Teesdale

Teesdale is the second largest town within Golden Plains Shire, located 12km west of Bannockburn.

Settlement is characterised by low density residential properties with a strong connection to the natural environment and surrounding agricultural land. The town is largely reliant on Bannockburn and Geelong for both services and job access, and is experiencing considerable pressure for residential development.

Council seeks to:

- Accommodate future residential growth to areas within the existing town boundary and by encouraging infill development.
- Encourage additional commercial services locally.
- Protect the small town character, rural lifestyle, and natural environmental values that contribute to its appeal.

### Smythesdale

Smythesdale is a rural township surrounded by state forest, with a rich gold mining past.

The township has been identified as the northern growth centre for the Golden Plains Shire, in a prime strategic location to service the wider catchment of rural and residential communities. This is due to its distinct country-living character within commuting distance of the regional centre of Ballarat. However, the town lacks structure and is fragmented by Crown land.

The population of Smythesdale is expected to increase due to its strong relationship with Ballarat and residential growth resulting from improved services and the introduction of reticulated sewerage to the town. The community is keen to ensure that growth is managed and sustainable.

The Woady Yaloak Creek precinct is a potential asset offering many opportunities for Smythesdale, including linking key recreational assets throughout the town.

Council seeks to:

- Develop Smythesdale into a self-sufficient settlement and service hub for the north of the Shire.
- Enhance the town's heritage character by encouraging development within the Smythesdale Heritage Precinct to respect the heritage context.

### Inverleigh

Inverleigh is located approximately 30 kilometres west of Geelong and 10 kilometres south-west of Bannockburn, on the Hamilton Highway at the junction of the Leigh and Barwon Rivers.

Inverleigh has an array of natural features including areas of environmental significance, rural landscapes and riversides, as well as areas and sites of historical and cultural significance.

The Inverleigh Flora and Fauna Reserve is a grassy woodland. Its purpose is the conservation of indigenous plants and animals. It poses a modest fire risk to land adjoining the bush interface.

Inverleigh's proximity to Geelong, connection to the Geelong Ring Road and links to Melbourne have increased pressure for residential development. The population dynamics have changed and the township provides a home base for many residents who commute to work in Geelong and Melbourne. There is limited opportunity for new residential development within the established historic township area ('old town') due to flooding and limited capacity for effluent disposal.

Growth areas for Inverleigh have been identified outside of the floodplain to the west and the north of the town.

Council seeks to:

- Maintain the heritage characteristics and natural qualities that make the township attractive to residents and visitors.
- Encourage use and development that enhances the town centre's role as a community focus and meeting place.

### Gheringhap

Gheringhap is situated approximately 15 kilometres north-west of Geelong and 6 kilometres south-east of Bannockburn. Gheringhap is close to major infrastructure including the Port of Geelong, Geelong Ring Road and the Midland and Hamilton Highways, which provide access between Geelong, Ballarat and the rest of Victoria. The town is well-positioned for business opportunities and future development of the Gheringhap Employment Area.

The Midland Highway and rail infrastructure intersect the settlement. Land south of the Midland Highway is relatively flat with much of the land previously cleared of vegetation. The flat open plains are a defining feature of Gheringhap and the wider Golden Plains south-east region.

The town is valued for its open grasslands, the Moorabool River and its rural character consisting of agricultural land interspersed by clusters of dwellings that coexist with the surrounding agricultural activities.

Council seeks to:

- Facilitate commercial and industrial development in the Gheringhap Employment Area as shown on the Gheringhap Structure Plan at Clause 11.03-6L Gheringhap.
- Locate and design commercial and industrial development to protect the amenity of the existing clusters of dwellings.
- Protect the Moorabool River environs, open grasslands and existing rural character of Gheringhap.

### Small Towns

Golden Plains Shire consists of numerous small townships and settlements, including Teesdale, Haddon, Lethbridge, Linton, Meredith, Ross Creek and Scarsdale. Town structure plans have been prepared for most settlements and establish a basis for future strategic planning decisions in each town.

Settlement planning for the Shire's small towns will:

- Contain growth within existing settlement boundaries.
- Limit the rezoning of land to form new residential land.
- Facilitate infill development as shown on each township map at Clause 02.04.

## 02.03-2 Environmental and landscape values

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### Biodiversity

The municipality is home to a wealth of flora and fauna, including rare and threatened species and communities, major waterways and freshwater wetlands.

Many of the municipality's significant natural environments are protected by international, national and state agreements and legislation.

Remnant native vegetation across the municipality is estimated to be approximately 25 per cent of that which existed prior to European settlement. However, the quality of much of these remnants is degraded. While remnant native vegetation is contained on private land, some of the Shire's most significant native vegetation occurs on roadsides.

The effects of climate change are having a significant impact on the natural environment, placing already stressed native flora and fauna assets at higher risk. The municipality is at risk of climate change with projected increased temperatures and reduced precipitation affecting natural systems, with flow on effects to the community and economy.

The quality and quantity of native vegetation, flora and fauna across the municipality is threatened by development, land use change and poor land management practices. There is a need to protect and enhance the natural environment to protect ecological processes while providing for continued land use change.

The protection and enhancement of waterways and wetlands is essential to ensure environmental values are secure and that the social and economic benefits of healthy rivers and streams are maintained.

Biodiversity will be supported by:

- Protecting significant habitats and remnant vegetation from the encroachment of development.
- Balancing native vegetation conservation with development pressures, land use change and protection of people from bushfire.

## 02.03-3 Environmental risks and amenity

09/07/2020
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### Bushfire

Bushfire is a significant issue across the municipality affecting built communities and natural systems. Development or rezoning of land for residential purposes can have an adverse effect on the natural environment.

Although the protection of human life is the primary consideration, vegetation conservation is a lower, but still important, priority in bushfire prone areas.

Bushfire risk will be mitigated by:

- Avoiding development in bushfire prone areas.
- Avoiding the rezoning of land that allows for settlement in areas of high bushfire risk, particularly where natural assets will be compromised.
- Minimising the impact of bushfire protection measures on vegetation with high environmental value.

### Floodplain management

The catchments of the various rivers and streams within Golden Plains Shire include areas of flood prone land where flooding has historically caused substantial damage to the natural and built environment. The town of Inverleigh is most affected by flooding due to the confluence of the Leigh and Barwon Rivers. The Woady Yaloak River is another key floodplain affecting the north of the Shire. Natural flooding, long term productivity of flood prone land, river and wetland health are all closely linked. Inappropriate development on the floodplain can lead to the deterioration of environmental values and reduced agricultural production.

The impact of floods is increasing due to land use and vegetation changes. In particular, urban expansion, raised earthworks and the clearing of land for rural and urban development have all contributed to the increase in the instances of flooding.

Council seeks to mitigate flood risk by:

- Discouraging the intensification of land use and development in floodplains.
- Ensuring the future use and development of land prone to flooding minimises the consequences of inundation on life and property.
- Protecting floodways for their role in conveying floodwater.

### Salinity

Golden Plains Shire includes areas that have experienced salinisation of soil and water resources. The resultant impacts on biodiversity, agriculture and water resources can have significant negative environmental, social and economic impacts.

It is important that new development and land use change protects naturally saline waterways and wetlands and undertakes appropriate risk management strategies to mitigate damage from salinity on the natural environment, built structures and infrastructure.

Council seeks to:

- Protect soil and water resources from the risk of increased salinity.
- Manage salinity impacts derived from urban and rural residential development or re-zoning.

## 02.03-4 Natural resource management

09/07/2020
C90gpla

### Agriculture

Agricultural industries continue to be the major economic sector comprising more than 25 per cent of the employment in the Shire. Agricultural industries have been under economic pressure in recent years, in common with state-wide trends. There has been a trend for farm size to increase to counteract those economic pressures. This has generally occurred in locations away from areas of population growth.

The opportunities for agricultural diversity are limited by the Shire's climate, the availability of water and, in the northern portion of the Shire, fragmentation of land due to rural residential development.

There has been a growth of intensive agricultural activities within the Shire, particularly in the wine and specialist livestock industries. Other significant farm types are sheep and fat lambs for meat production, egg production, poultry, pastures, grasses and horticulture.

Forestry and timber production are increasingly significant local industries, given the climate, topography and the proximity to the Port of Geelong. Production at this stage comes mainly from pine plantations, but there is a growing demand for land for hardwood plantations.

House lot excisions can be detrimental to the efficient operation of farming activities and can result in isolated residential development without adequate access to social and physical services. They can also reduce the capacity of an area to undertake agricultural production as conflicts can arise between residential and farming land uses.

Council aims to support sustainable agriculture in the Shire by:

- Protecting the role of agricultural land as an economically valuable resource.
- Facilitating more intensive and diversified use of rural land for higher value products, including timber and agroforestry.
- Maintaining farm sizes.
- Minimising the potential for conflict between sensitive uses and agricultural practices.
- Discouraging dwellings and house lot excisions on rural properties.
- Directing timber plantations to land that is already cleared and is used for grazing or cropping.

### Animal industries

Many intensive animal production uses are in Golden Plains Shire and they represent an important local industry, with the potential for growth. The issue for the Shire will be how to accommodate growth in this industry while protecting other important values. The proper siting and design of this form of use and development is needed to ensure residential amenity and environmental quality is protected.

The Shire features a dedicated Food Precinct where significant infrastructure has been provided to service intensive animal industries.

Council seeks to:

- Support the development of intensive animal industries.
- Locate intensive animal production uses within the Food Precinct.
- Encourage quality design of intensive animal production developments so that they do not cause any unreasonable amenity impacts on surrounding residential land uses.
- Ensure that the use and development of land for intensive animal production does not detrimentally impact on the environment and minimises the downstream impacts on the water catchment.

#### Catchment planning and management

With limited annual rainfall and extensive demand for water for both urban and rural use, many of the waterways in the municipality are in poor condition and action needs to be taken to improve the condition of rivers and streams.

Council aims to protect its catchment water quantity and quality by:

- Adopting an integrated catchment management approach that includes integrated water management techniques, such as stormwater re-use.
- Managing use and development in the Moorabool River and Stony Creek Water Supply Catchment Areas.

## 02.03-5 Built environment and heritage

09/07/2020
C90gpla

#### Heritage

Throughout Golden Plains Shire are buildings, streetscapes, sites and precincts that represent a significant asset and resource for the Western District of Victoria. The Shire's history is also evident in the layout and settlement pattern of 19th century towns, rural properties and historic infrastructure related to agriculture and gold mining areas.

Heritage is also found in the natural environment where avenues of honour, streets and reserves were planted to beautify towns and to improve their practical amenity. These areas are important for the Shire's residents and tourists.

Recognition and protection of heritage places and areas is a crucial component of planning in Golden Plains Shire. Good conservation practices will ensure the retention and viable re-use of Golden Plains Shire's significant and contributory heritage places and areas.

Council seeks to develop the Shire's character and sense of place by:

- Protecting, maintaining and enhancing heritage areas and features in private and public ownership.

## 02.03-6 Housing

09/07/2020
C90gpla

#### Residential development

Over time the Golden Plains Shire's towns will become more urbanised. There is substantial supply of residential land in all urban centres and towns in the Shire. Future residential use and development needs to be considered in a regional context, taking into account settlement strategies for Ballarat and Geelong.

Limited amounts of medium density housing are currently provided in the Golden Plains Shire. With changing housing needs there is a necessity to promote a wider range of housing types and set clear direction for the form and design of this development.

Many townships and community areas contain land zoned for low density residential use, with lot sizes usually ranging from 1 to 4 hectares. These are often located on the periphery of urban type residential areas. Subdivision provisions under the zone allow for these areas to be subdivided into lot sizes down to 0.4 hectare in line with the Domestic Waste Water Management Plan, a plan that seeks to find affordable and appropriate solutions to manage domestic wastewater.

The established character of low density residential areas vary, but are generally derived from the expansive open areas surrounding dwellings and outbuildings. The presence of large old trees with extending canopies is a strong feature of low density residential areas. Buildings are generally set back from road frontages and property boundaries, with wide spacing between houses set within established landscaping, separated by rural type fencing. Drainage is managed with open spoon drains, creating a distinct difference in appearance to the typical kerb and channel drainage infrastructure in suburban sewered residential areas. Road reserves are wide and open.

Council will:

- Support a range of housing styles and types within urban areas to cater for changing household needs.
- Encourage the consolidation of sites and intensification of development in existing towns where it avoids detrimentally altering the character or quality of these areas.
- Discourage subdivision of land in the Low Density Residential Zone that does not maintain or complement the established character.
- Discourage subdivision that does not meet the requirements of the Domestic Wastewater Management Plan.

**Rural residential development**

Over the past two decades the Shire has continued to experience demand for rural residential development. The north-west area of the Shire contains Rural Activity and Farming zoning that is interspersed with large areas of Rural Living zoning. There is a substantial over supply of land zoned Rural Living in the north of the Shire.

To sustainably manage rural residential development, Council will:

- Direct infill rural residential development to the Rural Living Zone in the north-west area of the Shire.
- Limit further rezoning of land to Rural Living Zone.

## 02.03-7 Economic development

09/07/2020
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The retail sectors of the Shire's urban centres have strong relationships with surrounding agricultural communities. Bannockburn is a regional shopping centre with a significant catchment. Other towns such as Inverleigh, Linton, Meredith and Smythesdale perform important local shopping and business roles.

A significant proportion of the Golden Plains community's retail expenditure occurs outside of the Shire to major regional centres of Ballarat, Colac, Geelong and Melbourne. In the longer-term, additional floor space will be required for retail use and development in Bannockburn.

In promoting economic development, Council will:

- Support the efficient use of commercially zoned land.
- Consolidate commercial use and development to reinforce the viability and vitality of commercial and retail centres.
- Direct commercial and retail services to Bannockburn and other district commercial and retail centres, as identified in Table 1.

**Table 1: Commercial and Retail Hierarchy Framework**

| Status | Township | Description |
|---|---|---|
| Sub-regional commercial and retail centre | Bannockburn | Higher order and speciality commercial and retail development to service the south-east portion of the Shire. |
| District commercial and retail centres | Inverleigh<br>Linton<br>Meredith<br>Rokewood<br>Smythesdale | Commercial and retail needs to service the surrounding area. |
| Town commercial and retail centres | Corindhap<br>Dereel<br>Haddon<br>Lethbridge<br>Napoleons<br>Ross Creek<br>Scarsdale<br>Teesdale<br>Other towns | Commercial and retail needs to service immediate residents. |

### Industry

Golden Plains Shire has a moderate manufacturing base ,with employment in the manufacturing industry representing approximately 14.7 per cent of jobs in the Shire.

A number of industrial sites in the north of the Shire established to provide land for industrial use and development remain vacant. This reveals that a significant proportion of small-scale industrial uses are located within town areas largely due to historic reasons and operator preference. The remaining industrial zoned land is within inappropriate or non-preferred areas or may lack necessary infrastructure. There is also competition for industrial land provided by the larger urban areas of Geelong, Ballarat and the Melbourne Metropolitan area.

The completion of the Geelong Ring Road has increased pressure for industrial land, particularly in the south-eastern area of the Shire.

Council supports:

- Industrial development in areas that are strategically sound or identified for industrial development.

### Tourism

Tourism in Golden Plains Shire is a relatively small industry sector with significant capacity to grow. Tourism attractions include wineries and cellar doors, with the majority located around the Moorabool Valley Wine Region; cafes and restaurants; gourmet food and produce; farmers' markets, including the Golden Plains Farmers' Market, events and festivals such as the Golden Plains and Meredith music festivals; heritage sites and equestrian facilities.

There is a lack of tourism accommodation in the Shire, with opportunities to increase accommodation offerings across the region, particularly around the Moorabool Valley.

Council aims to support the development of the tourism industry by:

- Encouraging the development of tourism accommodation.

## 02.03-8 Transport

20/12/2024
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Golden Plains is well located to existing export and transport facilities, which represents a competitive advantage for the Shire.

The Geelong Ring Road and upgrades to the Western Highway have dramatically reduced travel times to Melbourne, and existing rail freight connections facilitate reliable connectivity to Melbourne.

The Outer Metropolitan Ring Road, improved regional road networks and the proposed improvements to Geelong, Werribee and Wyndham rail lines, in addition to improved rail freight services on the Ballarat Line, will facilitate greater connectivity between the Shire and Geelong and Ballarat, and support ongoing economic growth.

The Shire has a 1,800km road network. Around three-quarters of resident workers travel outside of the Shire to work. The proportion of the Shire's population living near public transport is significantly lower than the State average.

Council seeks to:

- Ensure the transport system supports economic opportunities.
- Encourage the development and use of sustainable forms of transport.

## 02.03-9 Infrastructure

20/12/2024
C102gpla

### Development infrastructure

All the towns in the Shire have reticulated water supplies provided either by Central Highlands Water or Barwon Water. Central Highlands Water, which has its involvement in the northern part of the Shire, believes it can service most of the anticipated growth within its area. The exception is the higher land south-east of Scarsdale, extending to the area south of Ross Creek. Central Highlands Water believes that the existing supply systems in that area, with minor augmentation works, are adequate to cater for the existing populations and anticipated growth in the immediate future.

The extent of sewerage systems in the Shire is limited to Woodlands Estate (near Enfield), Bannockburn and Smythesdale. Central Highlands Water will assess the need for sewerage in Scarsdale and Linton when development and growth has reached a stage where it is warranted.

Council aims to support the community's access to infrastructure by:

- Directing development to areas with access to water and sewerage infrastructure.
- Facilitating water and sewerage infrastructure works in unsewered townships.
- Improving service delivery to urban centre townships, including sewerage infrastructure and treated water supply where it is lacking.

### Community infrastructure – open space

Sport and active recreation is an integral part of community life, providing health, physical and mental wellbeing benefits, a sense of belonging and personal connections. Sport and active recreation contributes significantly to the liveability of the Shire and is underpinned by a diverse network of local and community facilities, parks, playgrounds and reserves.

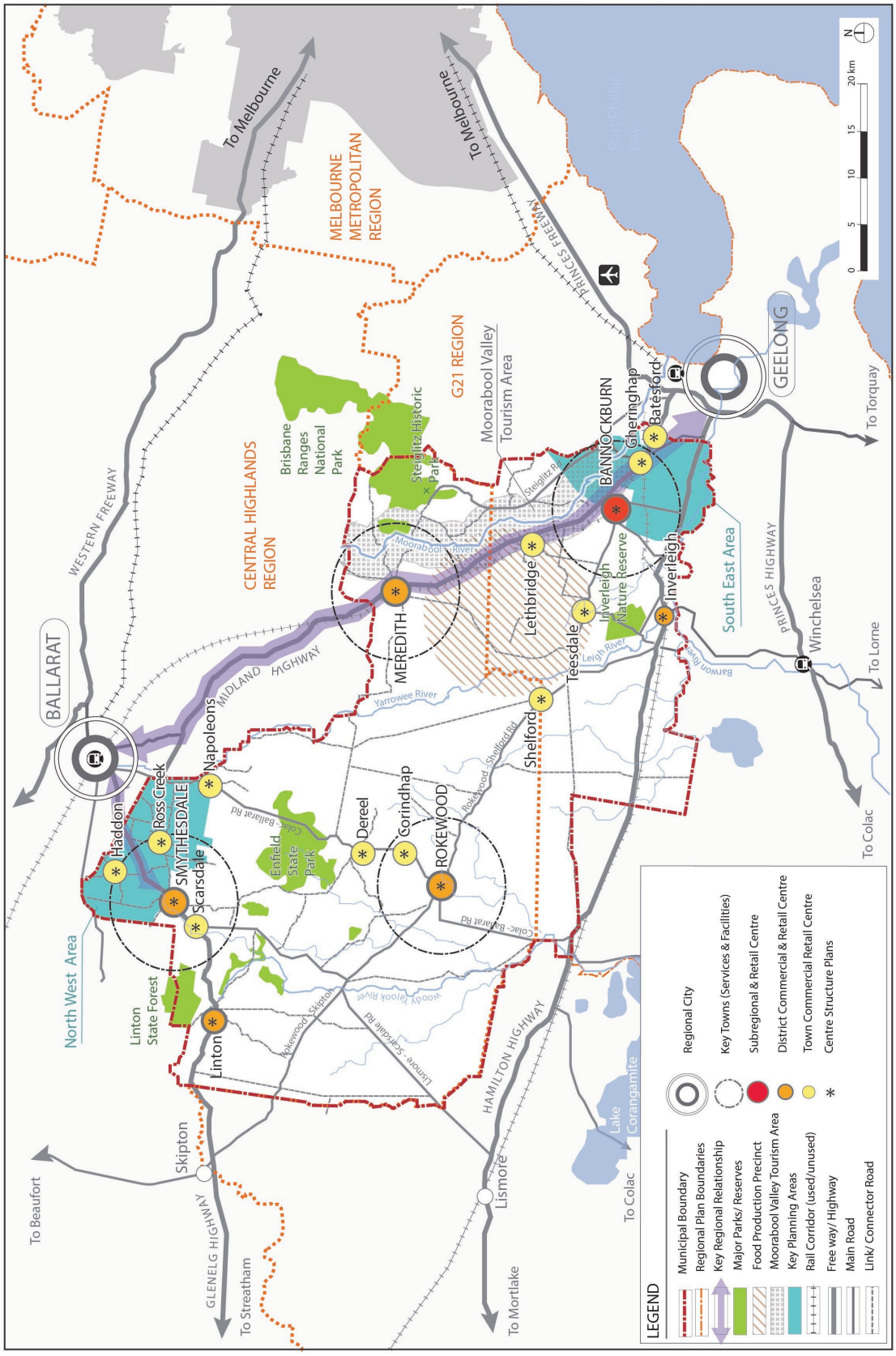
Council aims to positively contribute to the health and wellbeing of the community and to promote liveability and community connectedness by:

- Ensuring there is a diversity of fit-for-purpose, affordable and accessible formal and informal recreation opportunities across the Shire to encourage residents and visitors to be physically active.

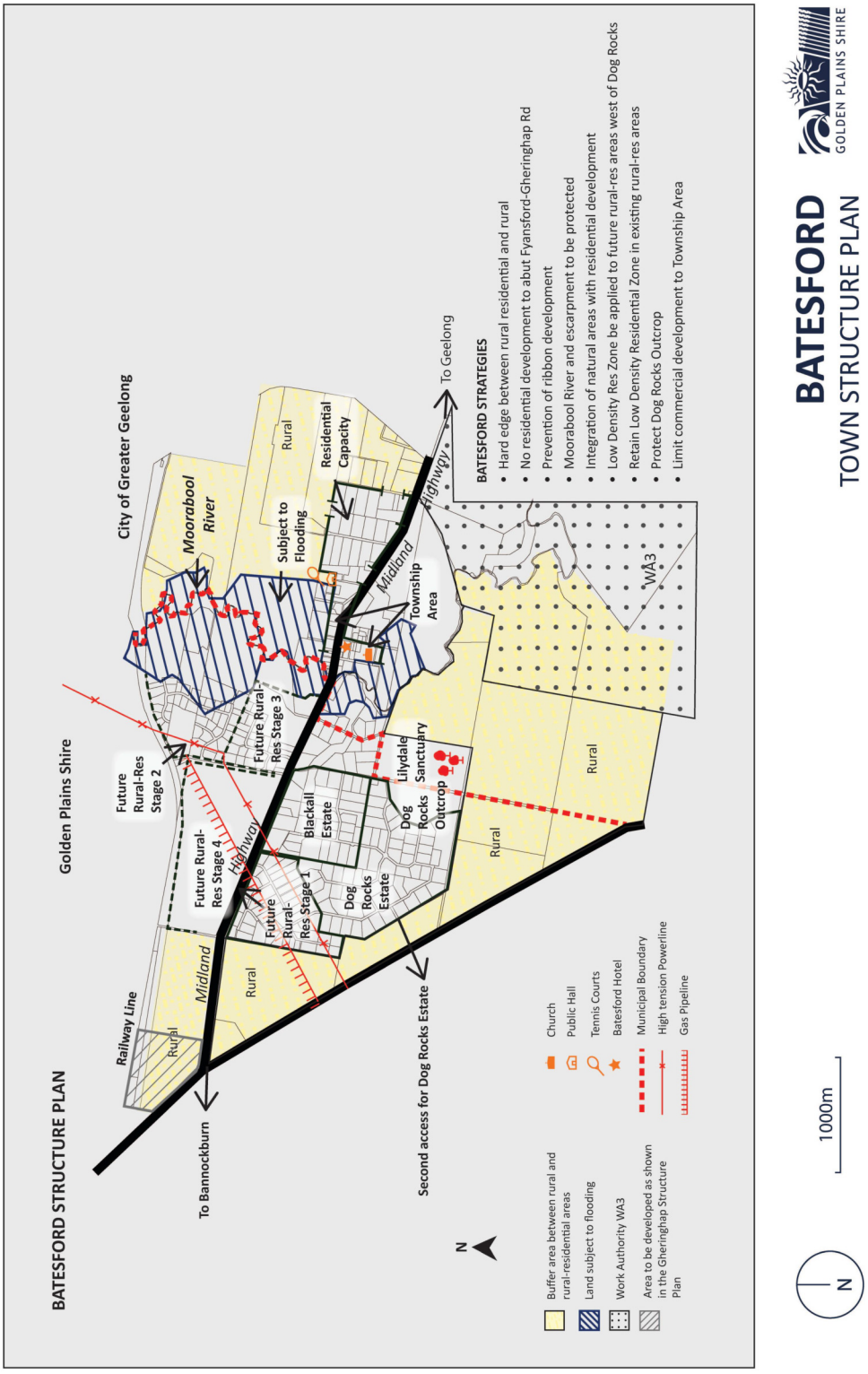
## 02.04 STRATEGIC FRAMEWORK PLANS

20/12/2024
C102gpla

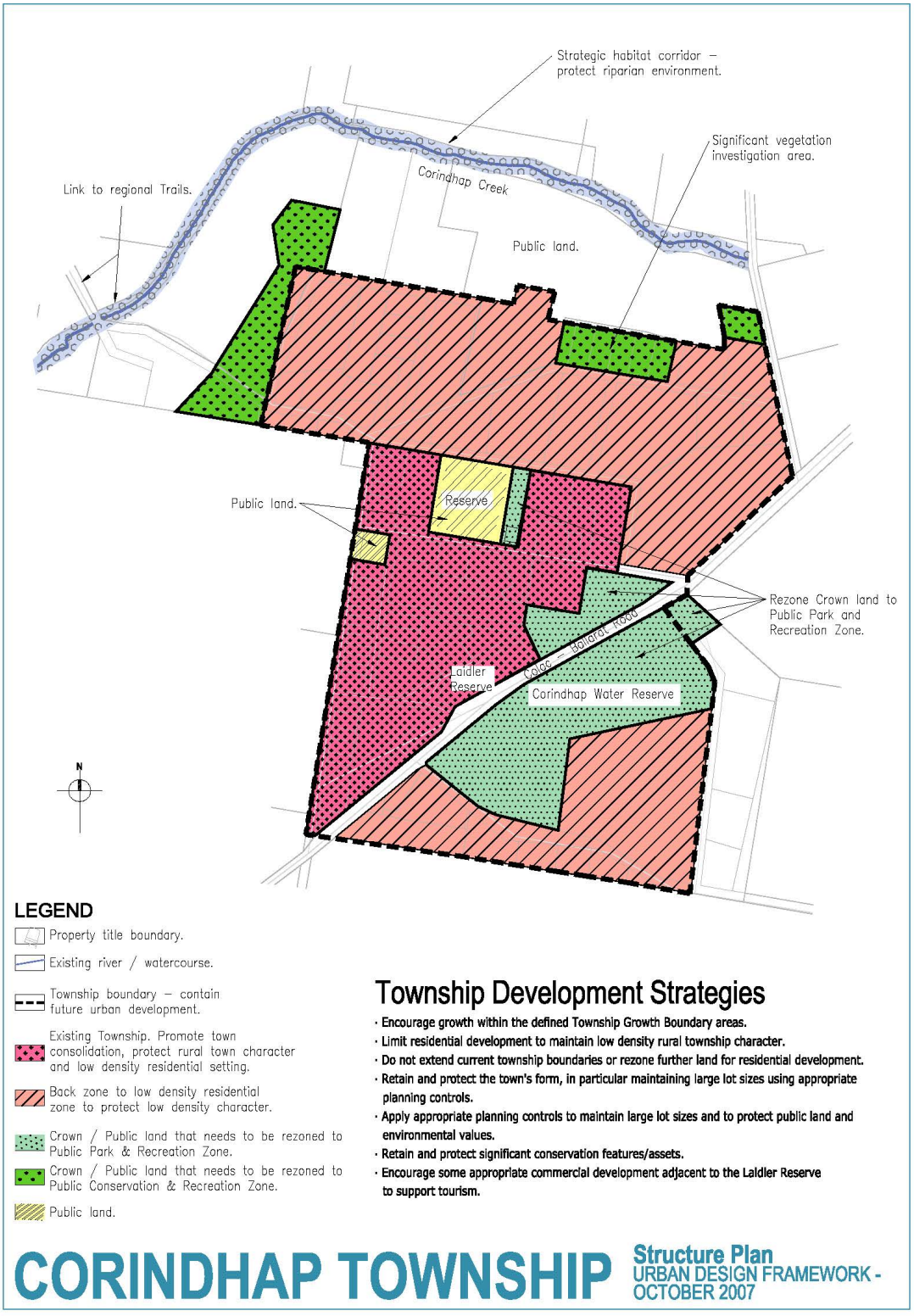
### Golden Plains Strategic Framework Plan



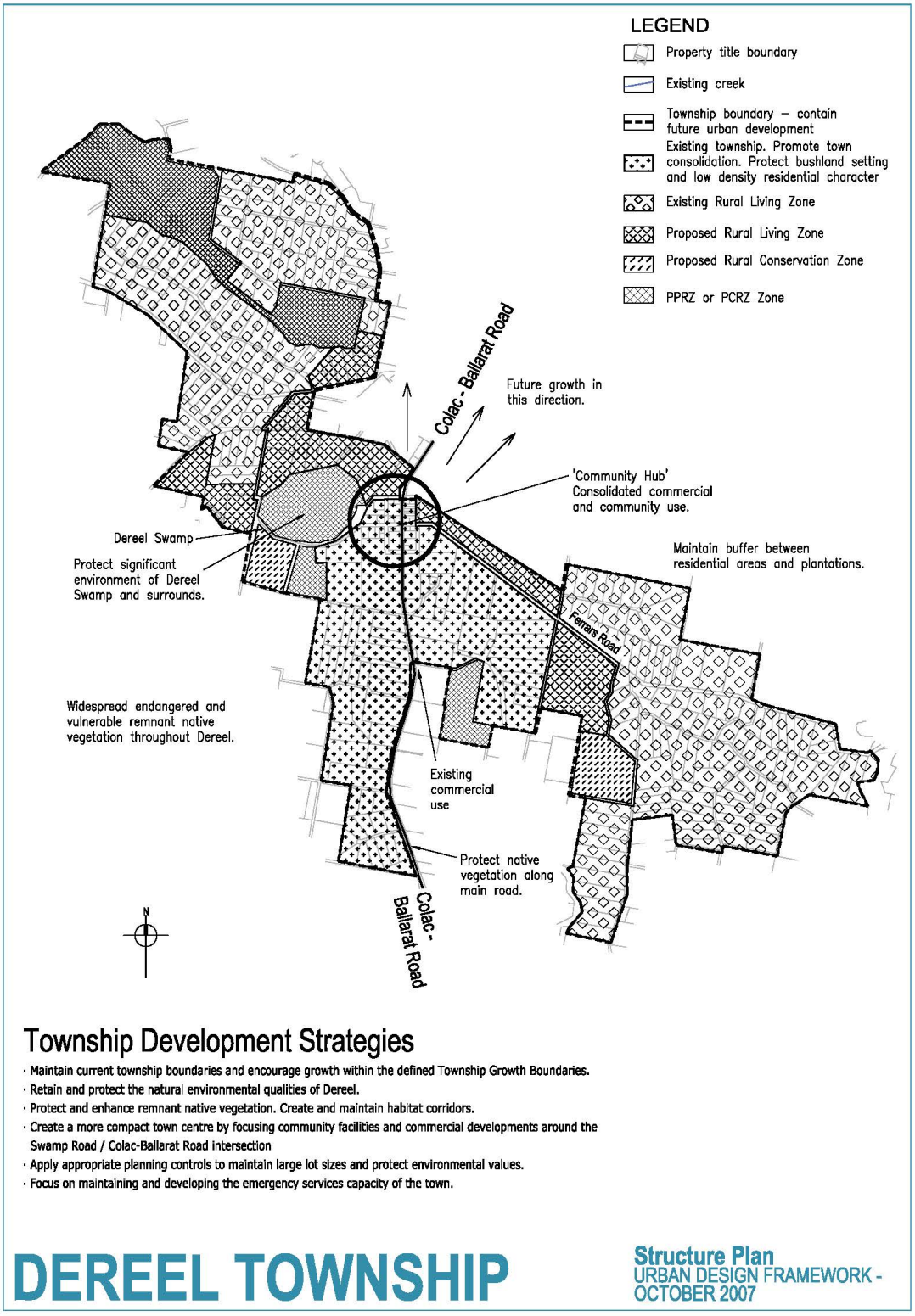
## Batesford Structure Plan



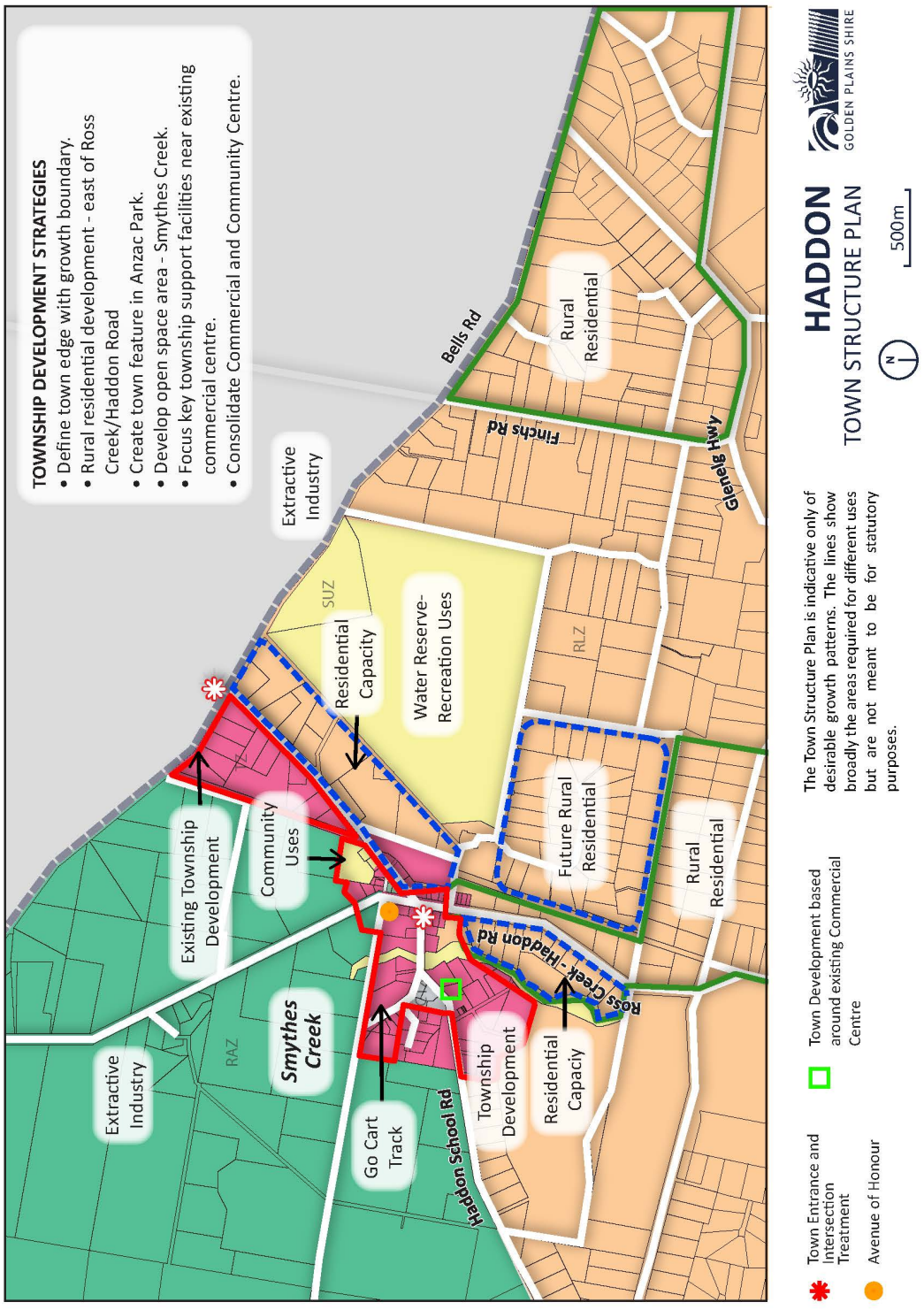
## Corindhap Structure Plan



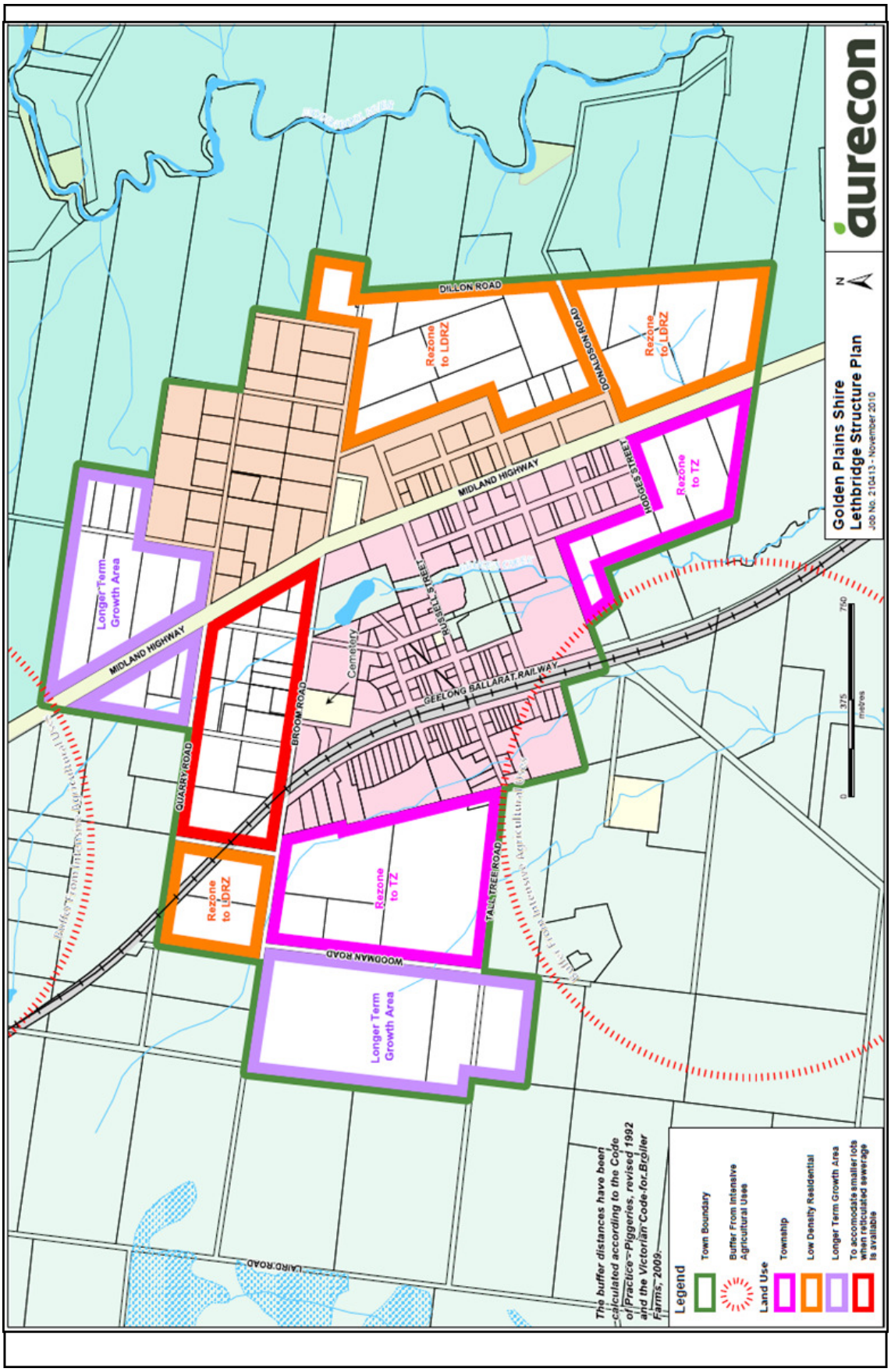
## Dereel Structure Plan



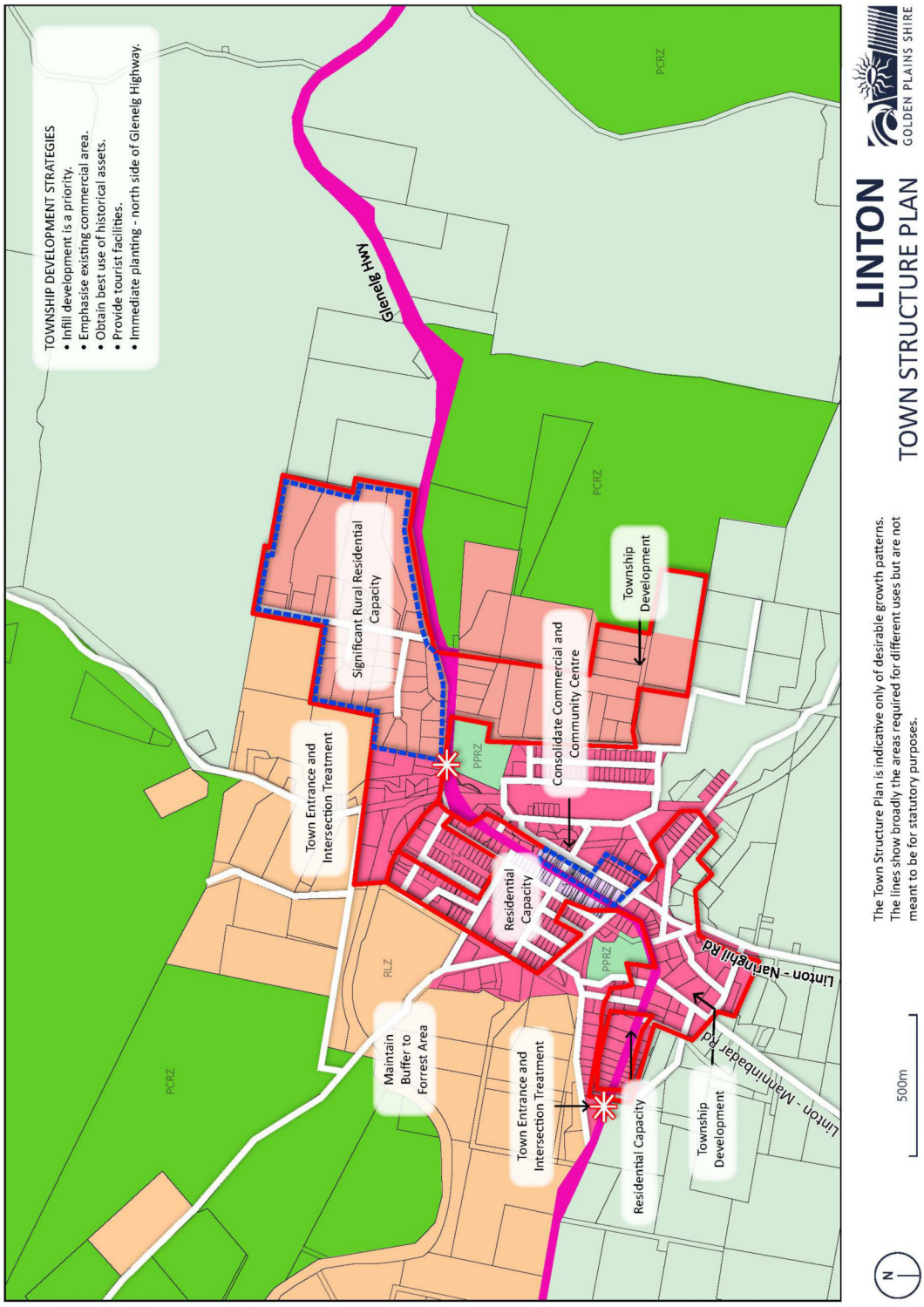
## Haddon Structure Plan



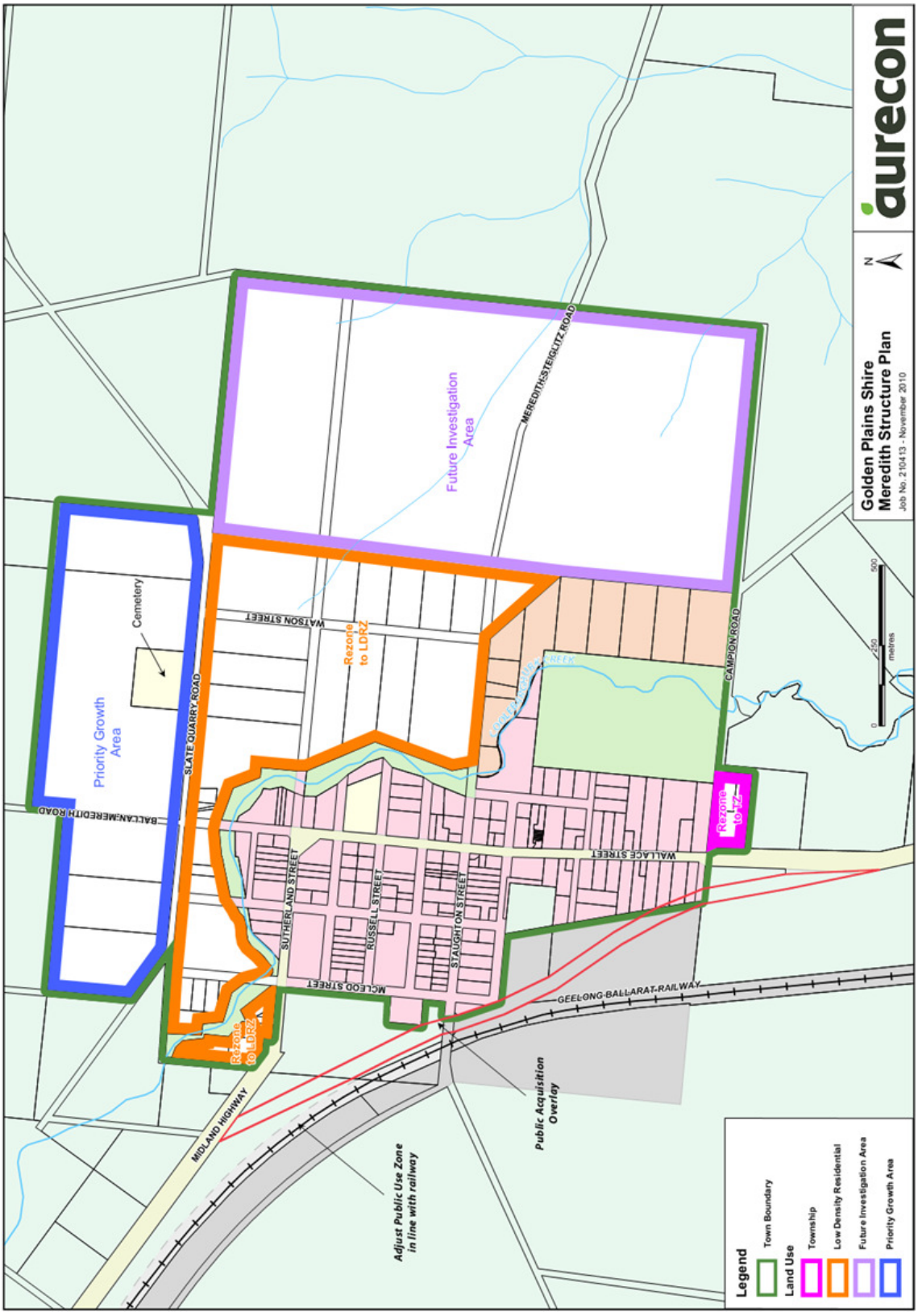
## Lethbridge Structure Plan



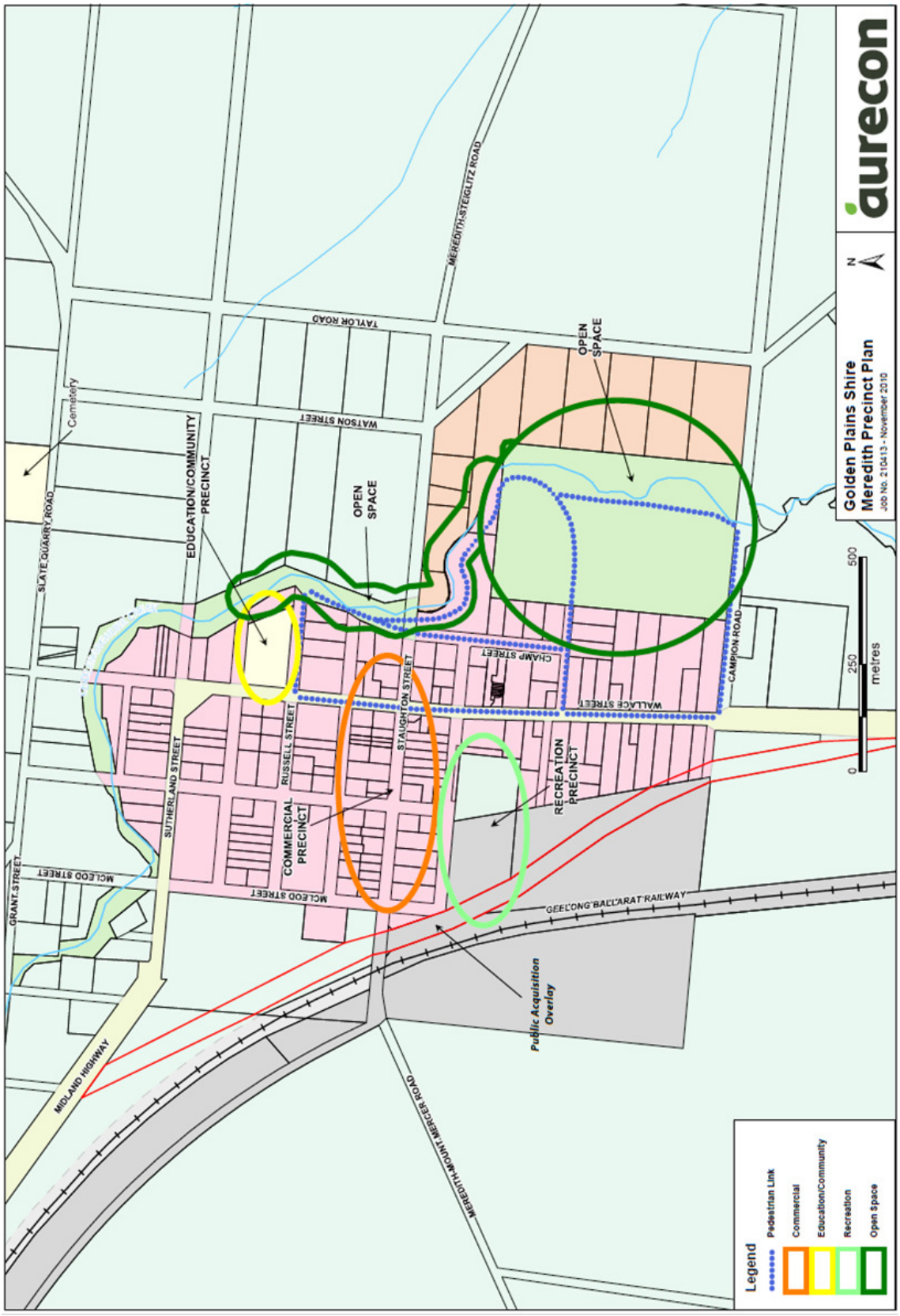
## Linton Structure Plan



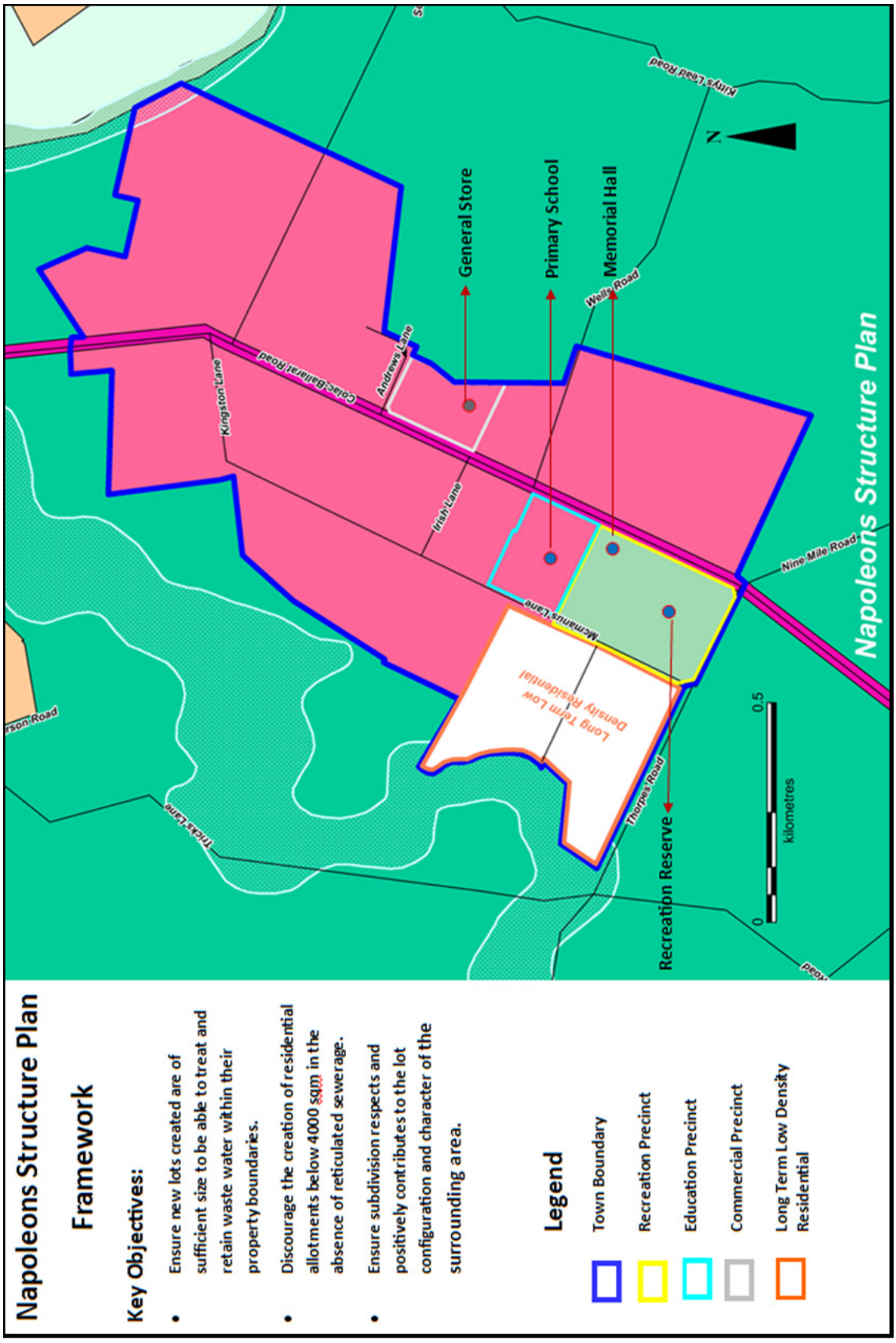
## Meredith Structure Plan



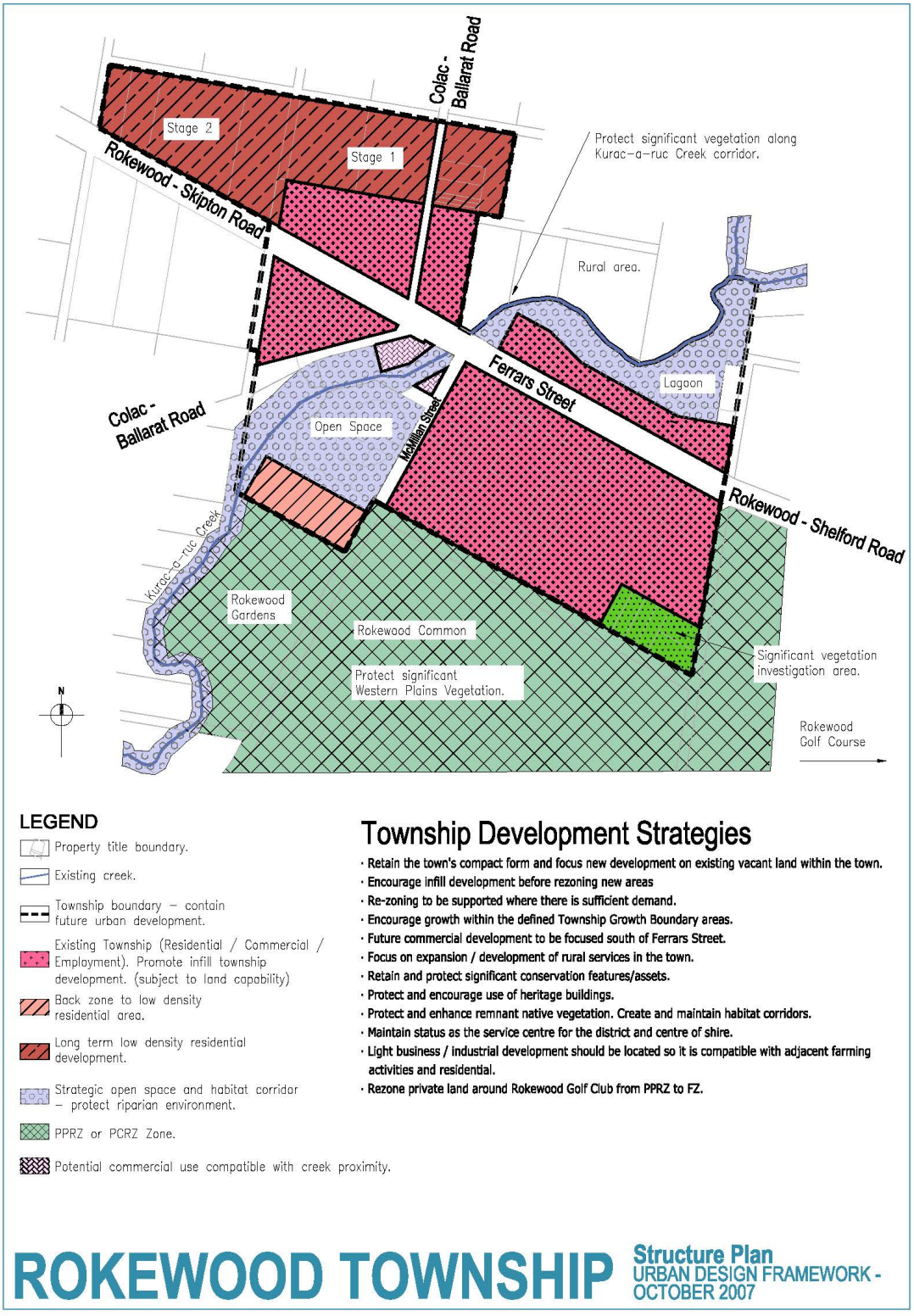
## Meredith Precinct Plan



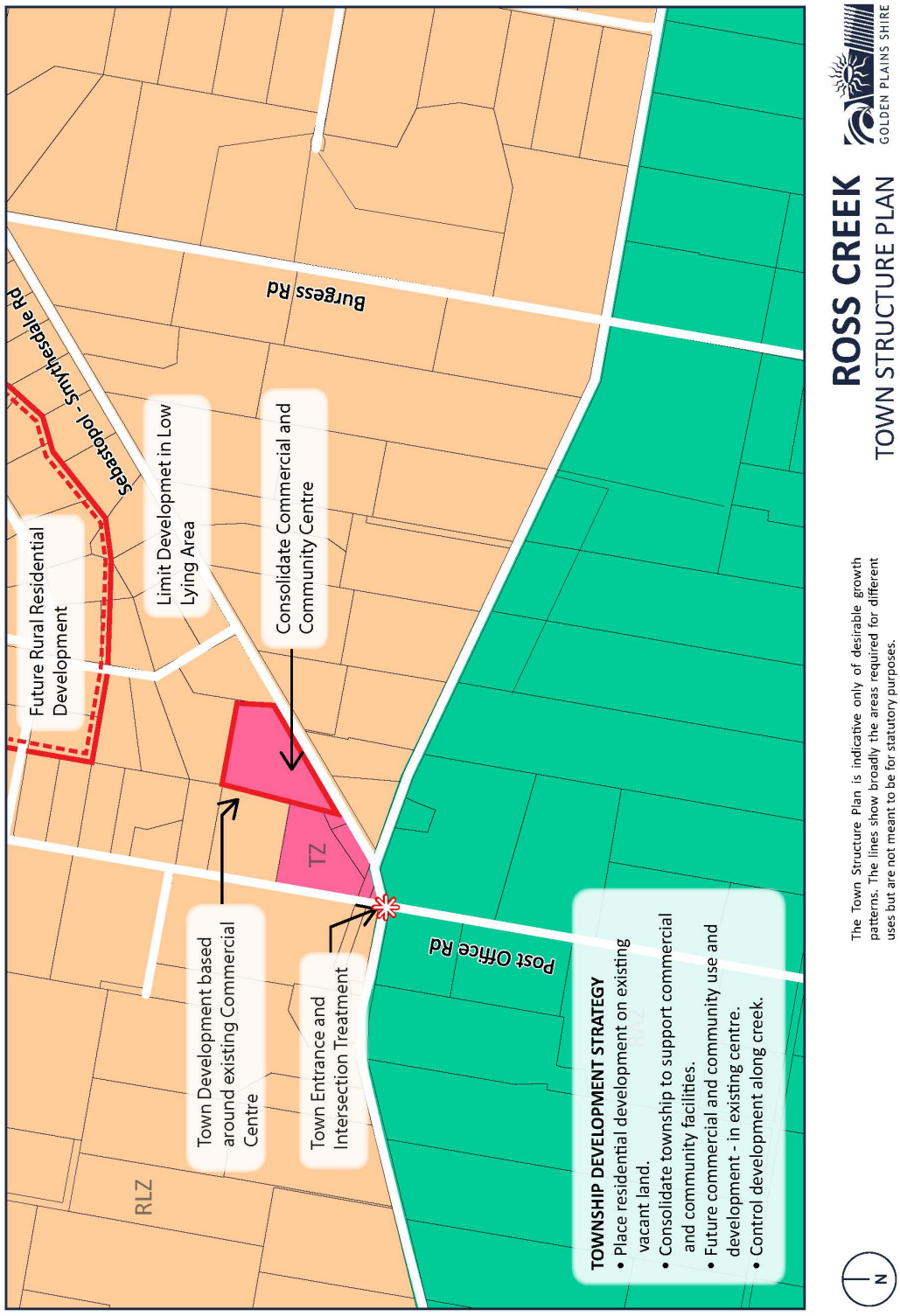
## Napoleons Structure Plan



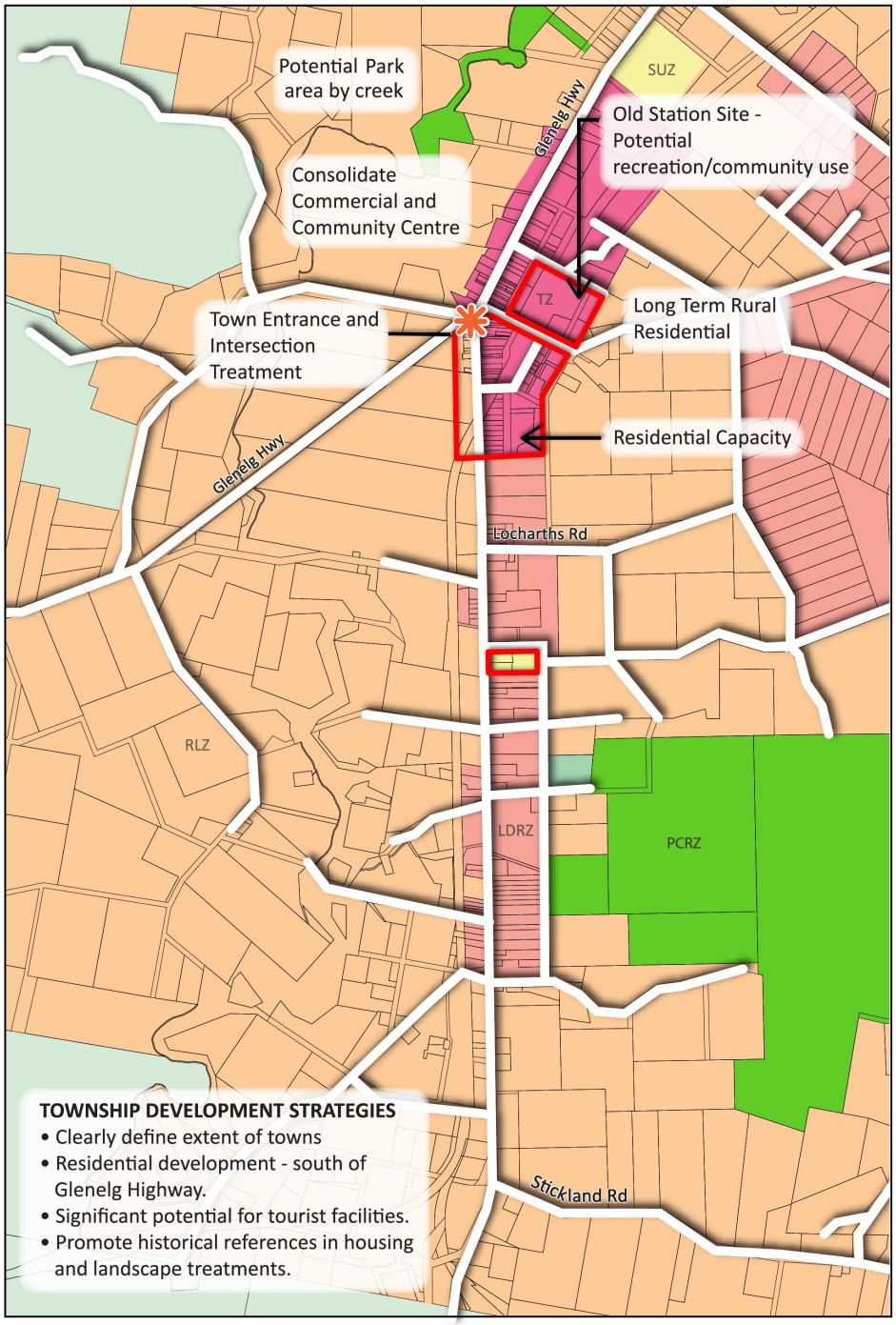
## Rokewood Structure Plan



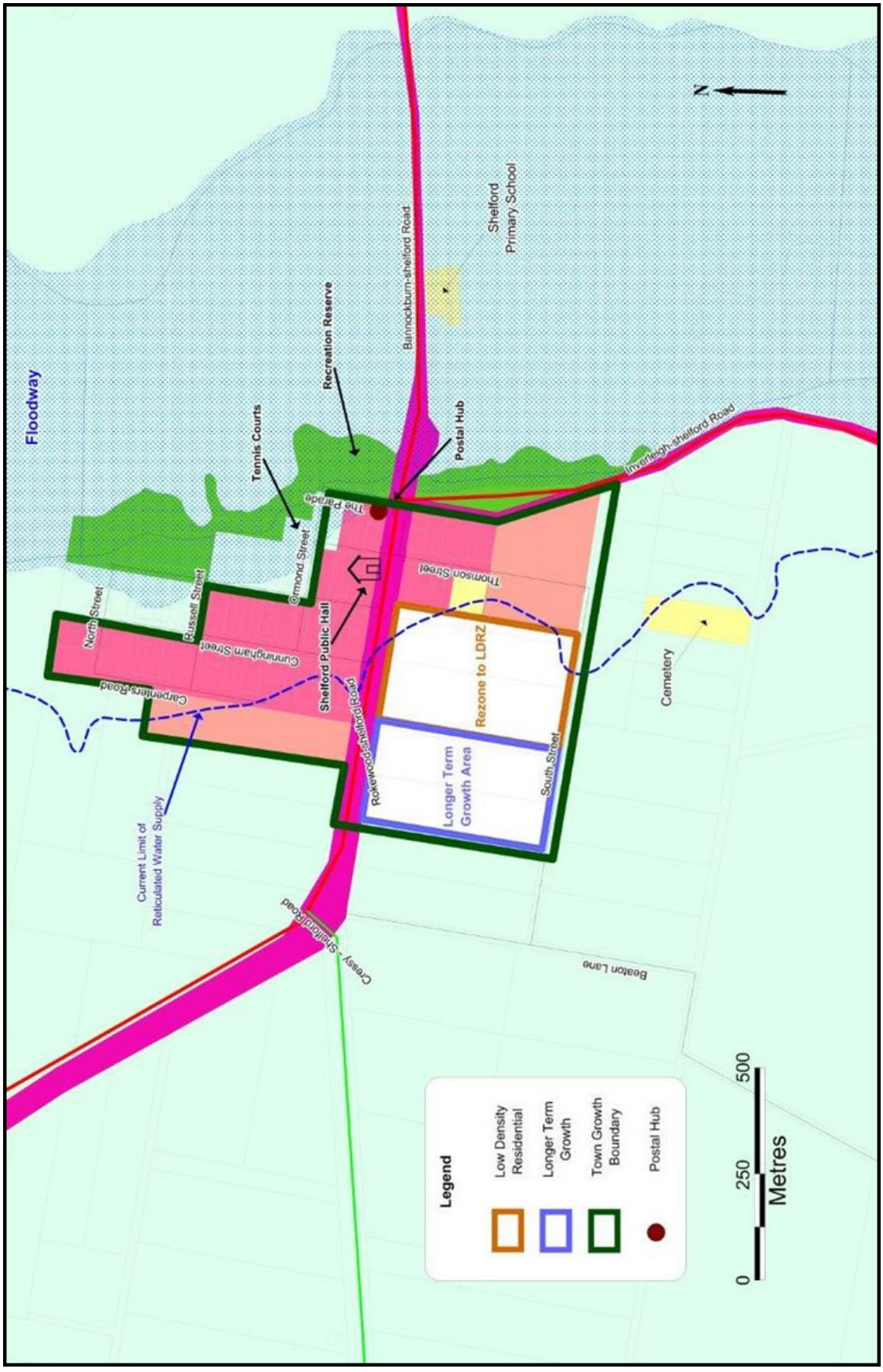
## Ross Creek Structure Plan



## Scarsdale Structure Plan



## Shelford Structure Plan



# 10 PLANNING POLICY FRAMEWORK

31/07/2018
VC148

# 11 SETTLEMENT

02/09/2025
VC283

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 contribute towards:

- Housing for all Victorians.
- Accessible jobs and services.
- Great places, suburbs and towns.
- Sustainable environments.
- Self-determination and caring for Country.

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

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

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

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

## 11.01 VICTORIA

31/07/2018
VC148

## 11.01-1S Settlement

02/09/2025
VC283

### Objective

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

### Strategies

Plan for the delivery of 2.24 million homes across Victoria by 2051.

Develop sustainable communities through a settlement framework that:

- Offers a range of housing choices.
- Provides convenient access to jobs, services, infrastructure and community facilities.
- Takes into account regional and municipal contexts and frameworks.

Focus investment and growth in:

- Melbourne Central City.
- Metropolitan Activity Centres and Suburban Rail Loop Precincts in Metropolitan Melbourne.
- Priority Precincts (including the Suburban Rail Loop East Precincts).
- Major regional cities of Ballarat, Bendigo and Geelong.
- Regional cities of Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

Manage the expansion of settlements by:

- Creating and reinforcing settlement boundaries. Where no settlement boundary is identified, limit the expansion of a settlement to the extent of existing urban zoned land.
- Promoting and capitalising on opportunities for urban renewal and infill redevelopment.
- Limiting urban sprawl and directing growth into existing settlements.
- Ensuring land that may be required for future urban expansion is not compromised.

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

Plan for development and investment opportunities that make best use of existing and planned transport infrastructure.

Coordinate transport, communications and economic linkages between settlements through the identification of servicing priorities.

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

Deliver networks of high-quality integrated settlements, suburbs and towns that:

- Are great places with a strong identity and sense of place.
- Are inclusive, prosperous, liveable and sustainable.
- Comprise a form and density that supports healthy, active and sustainable transport.
- Are based around compact existing or planned activity centres to maximise accessibility to facilities and services.
- Concentrate retail, office-based employment, community facilities and services in central locations.

Facilitate environmentally resilient settlements by:

- 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.
- Contributing to net zero greenhouse gas emissions through renewable energy infrastructure and energy efficient urban layout and urban design.
- Supporting metropolitan and regional climate change adaption and mitigation measures.
- Supporting cooling and greening measures for urban areas.

### Policy guidelines

Consider as relevant:

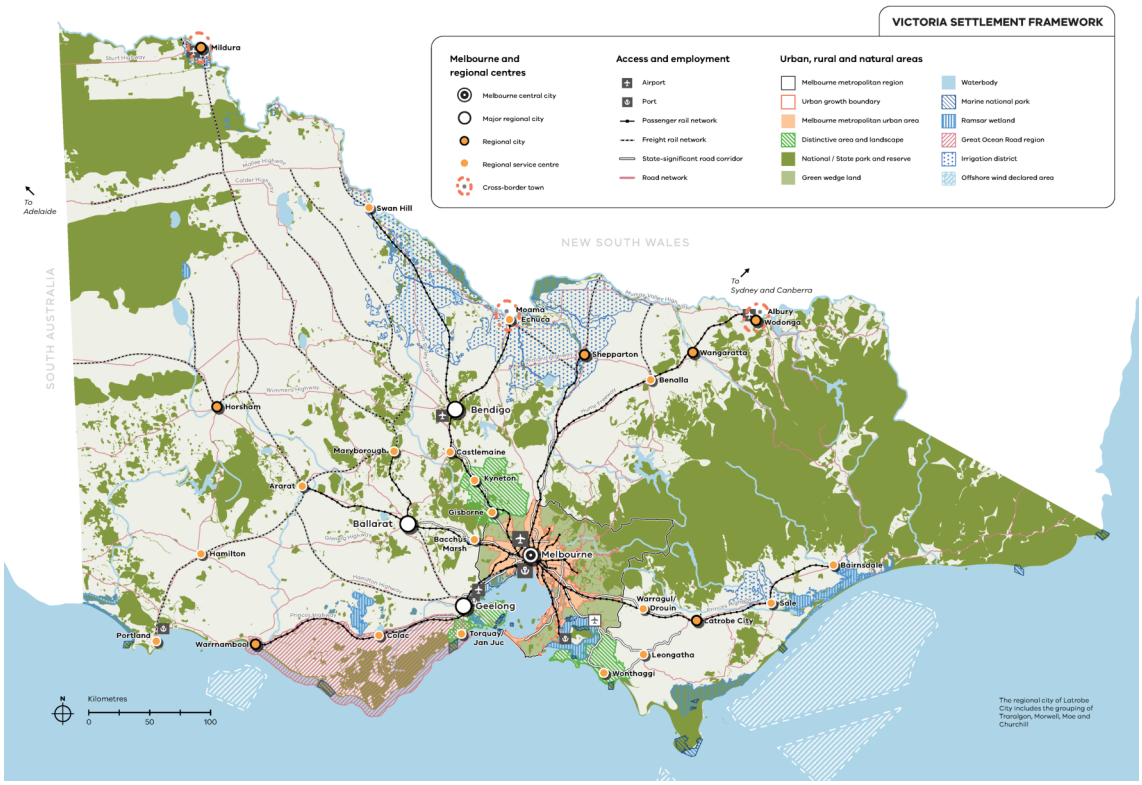
- Any settlement boundary identified in a document incorporated into this planning scheme.

### Policy documents

Consider as relevant:

- *Plan for Victoria* (Department of Transport and Planning, 2025)
- *Victoria's housing Statement - The Decade Ahead 2024-2034* (Department of Premier and Cabinet, 2023)

### Victoria Settlement Framework Plan



## 11.01-1R Settlement - Regional Victoria

02/09/2025
VC283

### Strategies

Focus regional investment and growth in:

- Major regional cities of Ballarat, Bendigo, Geelong.
- Regional cities of Horsham, Latrobe City, Mildura, Shepparton, Wangaratta, Warrnambool and Wodonga.

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

Deliver networks of high-quality integrated regional settlements 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.
- Providing for appropriately located supplies of residential, commercial, and industrial land across a region, sufficient to meet community needs.
- Improving transport network connections in and between Major regional cities, Regional cities and Melbourne.
- Maintaining distinctive breaks and open rural landscapes between settlements.
- Planning for increased seasonal demand on services and infrastructure in towns with significant visitor accommodation and high holiday home ownership or periodic influxes of workers.

## 11.01-1R Settlement - Central Highlands

02/09/2025
VC283

### Strategies

Support Ballarat as the Major regional city for regional growth, services and employment with major growth focussed to the west.

Support urban consolidation, particularly in Ballarat's Central Business District.

Maintain Ballarat's Central Business District as the primary focus for commercial, retail and service activity in the city and region.

Support the development of Central Highlands' Regional service centres, Ararat and Bacchus Marsh, as the key service centres for each end of the region.

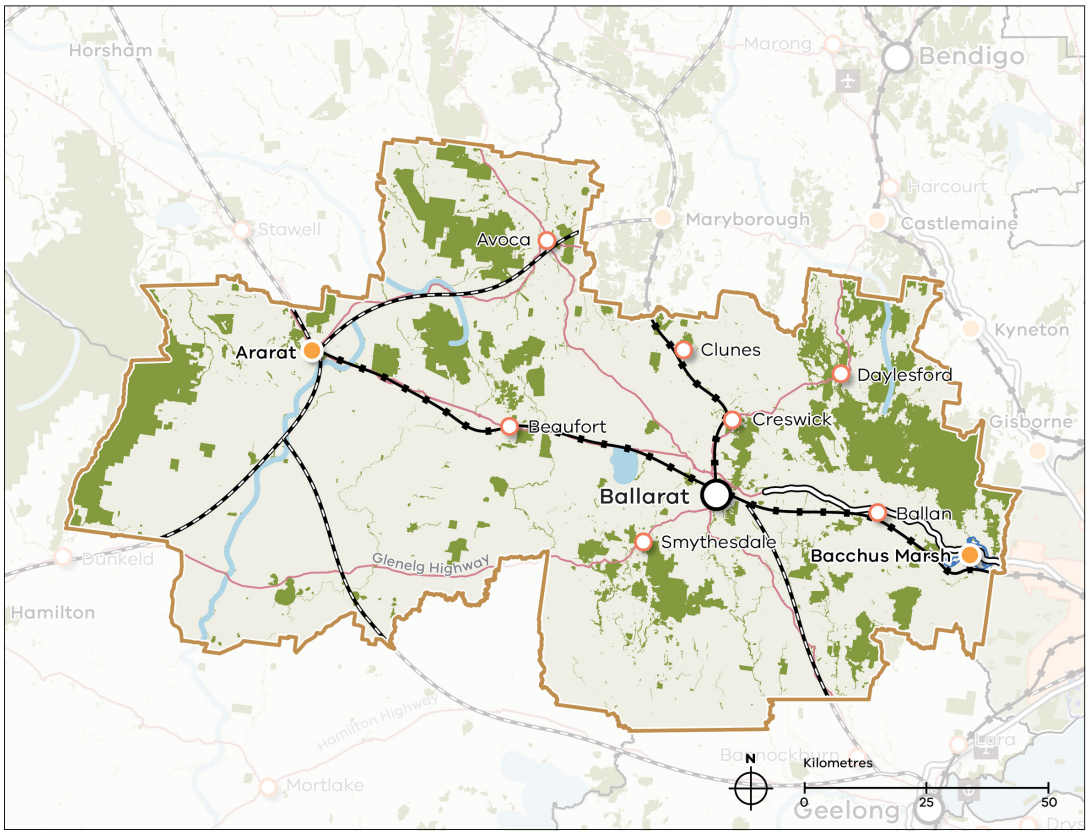
Provide local and sub-regional services at Avoca, Ballan, Beaufort, Clunes, Creswick, Daylesford and Smythesdale to support ongoing growth, particularly closer to Melbourne and Ballarat where towns will provide a key opportunity to target growth pressure.

Direct growth to well serviced settlements with good access to Melbourne or Ballarat, particularly Bacchus Marsh, Ballan, Creswick, Clunes, Beaufort and Smythesdale.

Limit outward growth of Daylesford to minimise environmental impacts and exposure to natural hazards.

Maintain a clear settlement break between Metropolitan Melbourne and the Central Highlands.

## Central Highlands Settlement Framework




### Central Highlands Settlement Framework

**Regional cities and towns**

- Major regional city
- Regional service centre
- District town

**Access and employment**

- Passenger rail network
- Freight rail network
- State-significant road corridor
- Road network

**Urban, rural and natural areas**

- Central Highlands region
- National / State park and reserve
- Waterbody
- Irrigation district

## 11.01-1R Settlement - Geelong G21

02/09/2025
VC283

### Strategies

Support the role of Central Geelong as a Major regional city and revitalise and strengthen its role as Victoria's second city.

Support Colac and Torquay/Jan Juc as Regional service centres.

Support the growth of Bannockburn, Drysdale/Clifton Springs, Lara, Leopold, Ocean Grove and Winchelsea as district towns by building on existing and planned infrastructure and focussing growth along key road and rail networks.

Plan for Colac and Winchelsea as new targeted growth nodes.

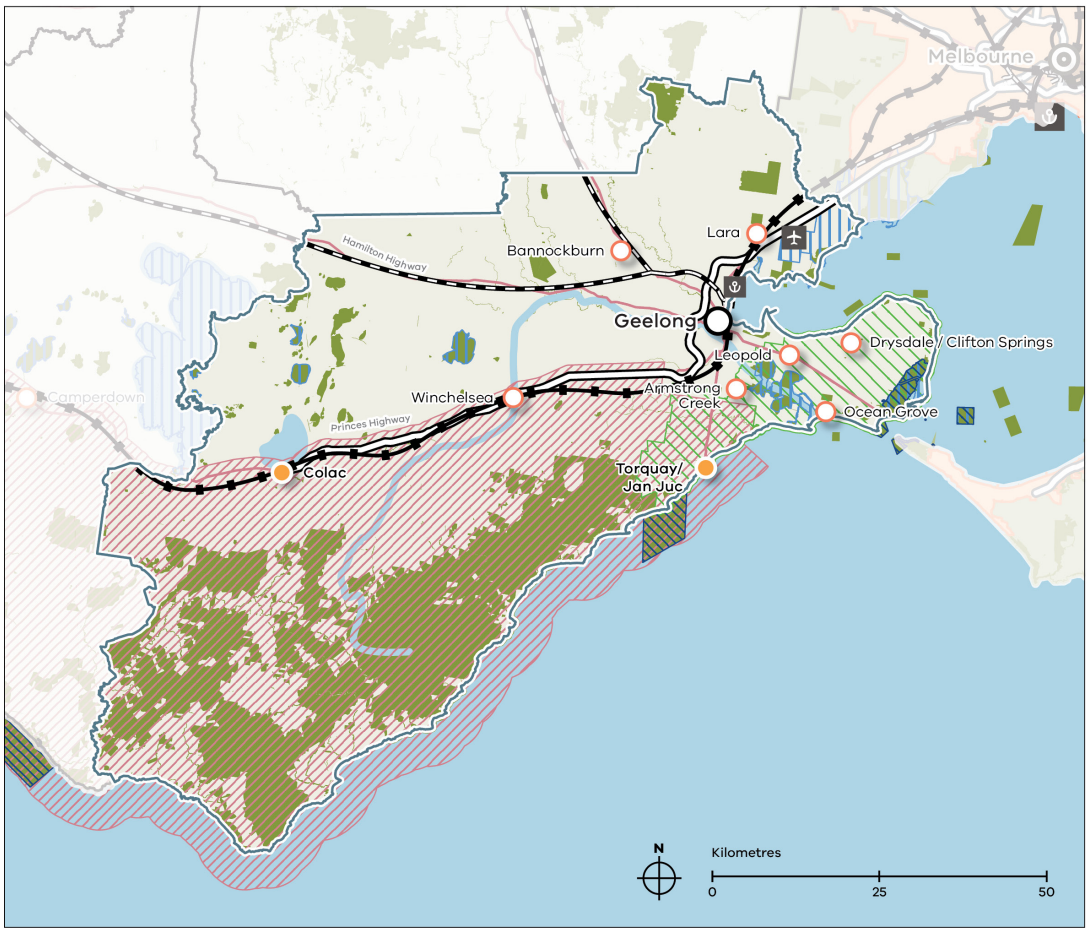
Provide for long term growth options that build on existing infrastructure, including two further investigation areas north and west of Geelong.

Reinforce the role of district towns in providing services to surrounding areas.

Maintain a significant settlement break between the region and Melbourne.

Provide for settlement breaks between towns to maintain their unique identities.

## Geelong G21 Settlement Framework




### Geelong G21 Settlement Framework

**Regional cities and towns**

- Major regional city
- Regional service centre
- District town

**Access and employment**

- Passenger rail network
- Freight rail network
- State-significant road corridor
- Road network
- Airport
- Port

**Urban, rural and natural areas**

- Geelong G21 region
- National / State park and reserve
- Waterbody
- Distinctive area and landscape
- Marine national park
- Ramsar wetland
- Great Ocean Road region

## 11.01-1L-01 Settlement

20/12/2024
C102gpla

Maintain an urban break between Geelong, Bannockburn, Batesford and Inverleigh.

Direct population growth to urban areas provided with water, sewerage and social infrastructure.

Avoid battle axe blocks in greenfield development.

Support a progressive series of land rezoning within Bannockburn, in line with the *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021).

Avoid rezoning of land for urban purposes in greenfield areas if there is existing land zoned for urban purposes available.

## 11.01-1L-02 Settlement in Golden Plains South East

20/12/2024
C102gpla

### Policy application

This policy applies to the areas identified in the Golden Plains South East area maps.

### Strategies

Direct business and service uses that require substantial separation distances from sensitive uses to land between the Midland and Hamilton Highways.

Support only agricultural uses in the Barwon River valley.

Support agricultural and rural related uses in the Moorabool River and Sutherlands Creek valleys including tourism uses that support agriculture and the landscape values of the valleys.

Reinforce the ‘non-urban break’ between Batesford and Bannockburn.

Maintain landscape buffers adjoining the Midland and Hamilton Highways except around the Gheringhap Precinct.

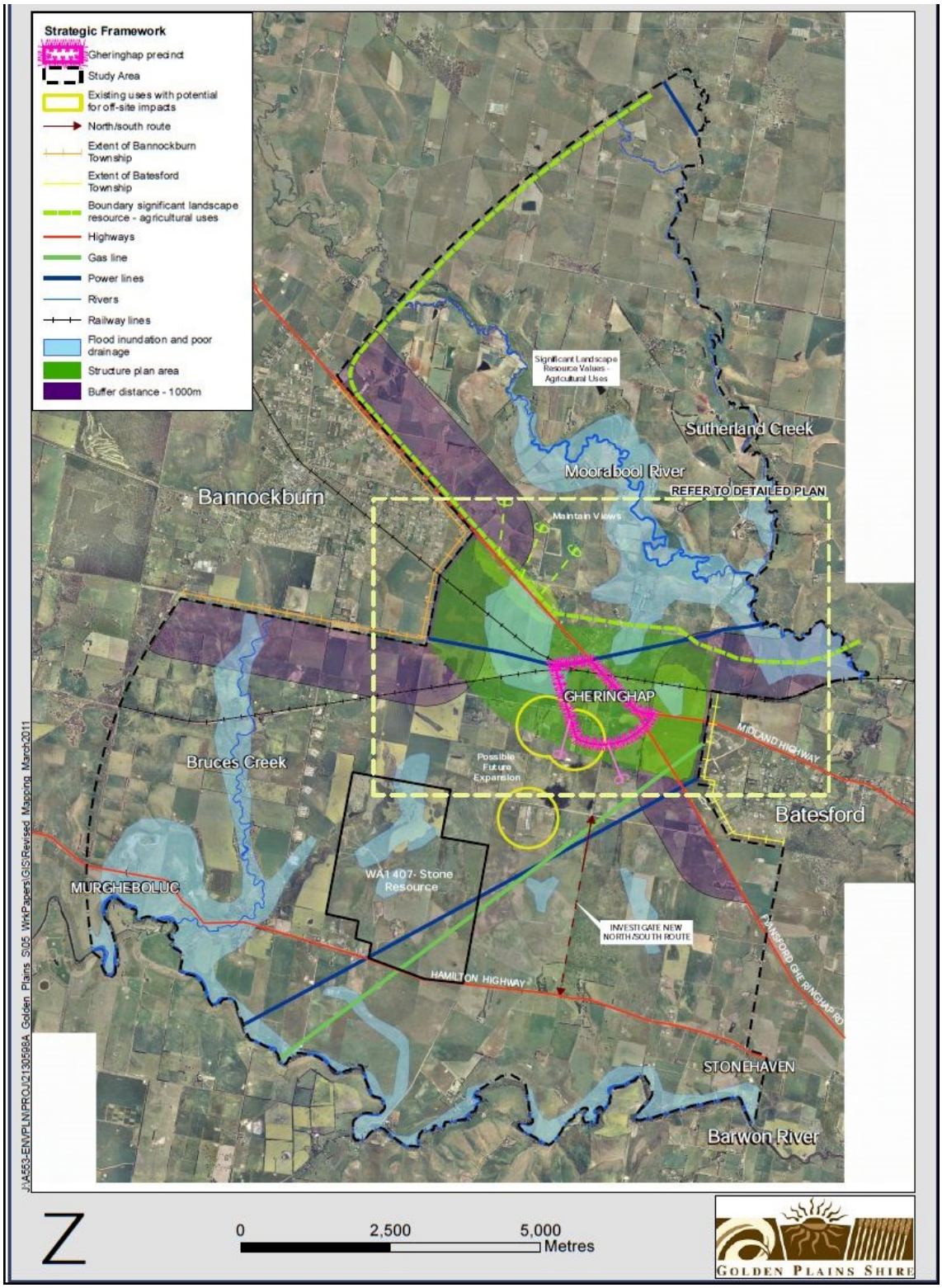
Avoid new vehicle access points along the Midland and Hamilton Highways.

Set back development from the Midland and Hamilton Highways and design structures and landscaping to maintain the rural character.

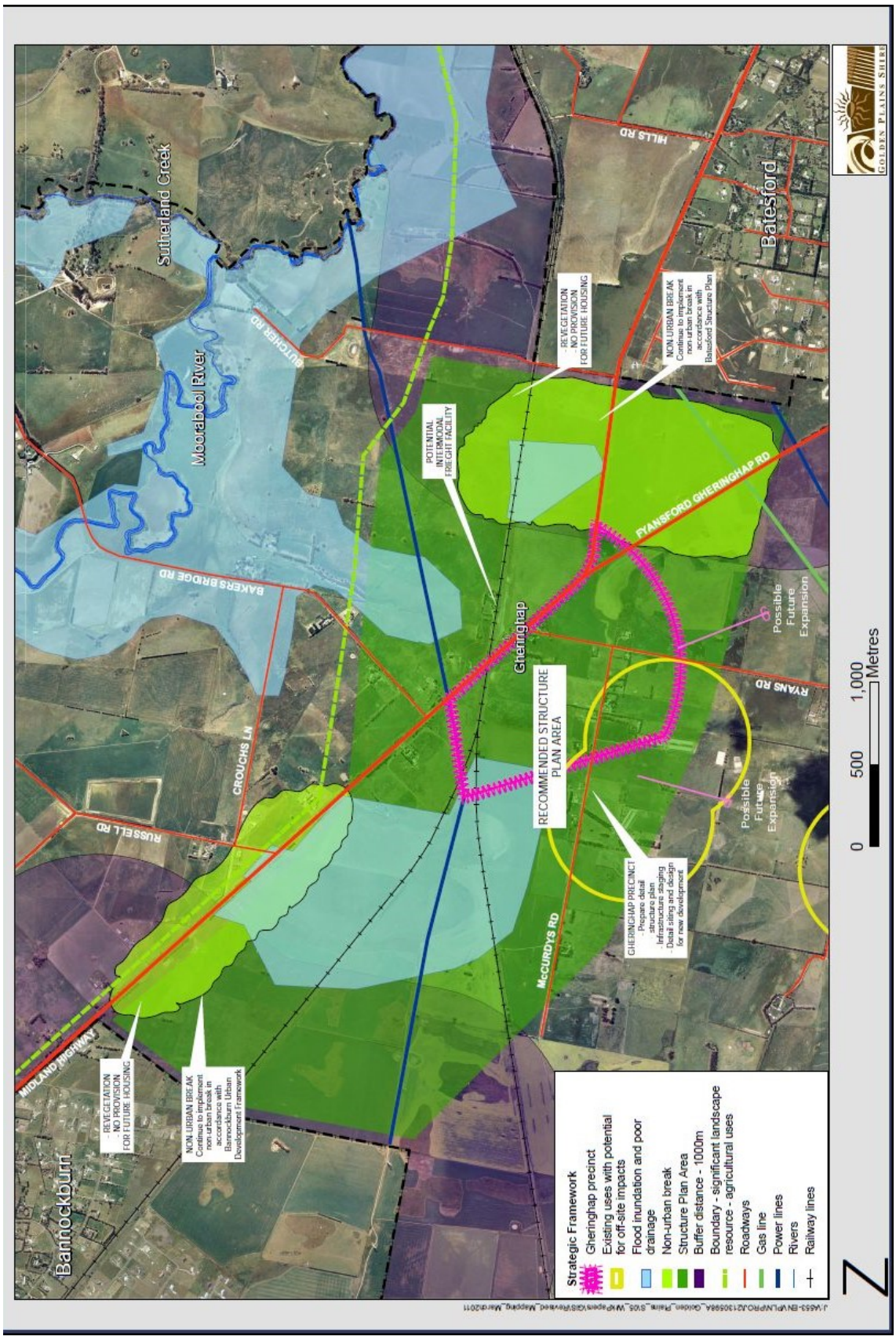
Support agricultural land use in areas excluded from development for business purposes (shown as ‘Buffer distance - 1000m’ in the South-East Framework Plan).

Minimise adverse visual impacts between business development and existing residential uses through the provision of appropriate interface treatments.

## Golden Plains South East Map



## Golden Plains South East Gheringhap Plan Map



## 11.01-1L-03 Settlement in Golden Plains North West

20/12/2024
C102gpla

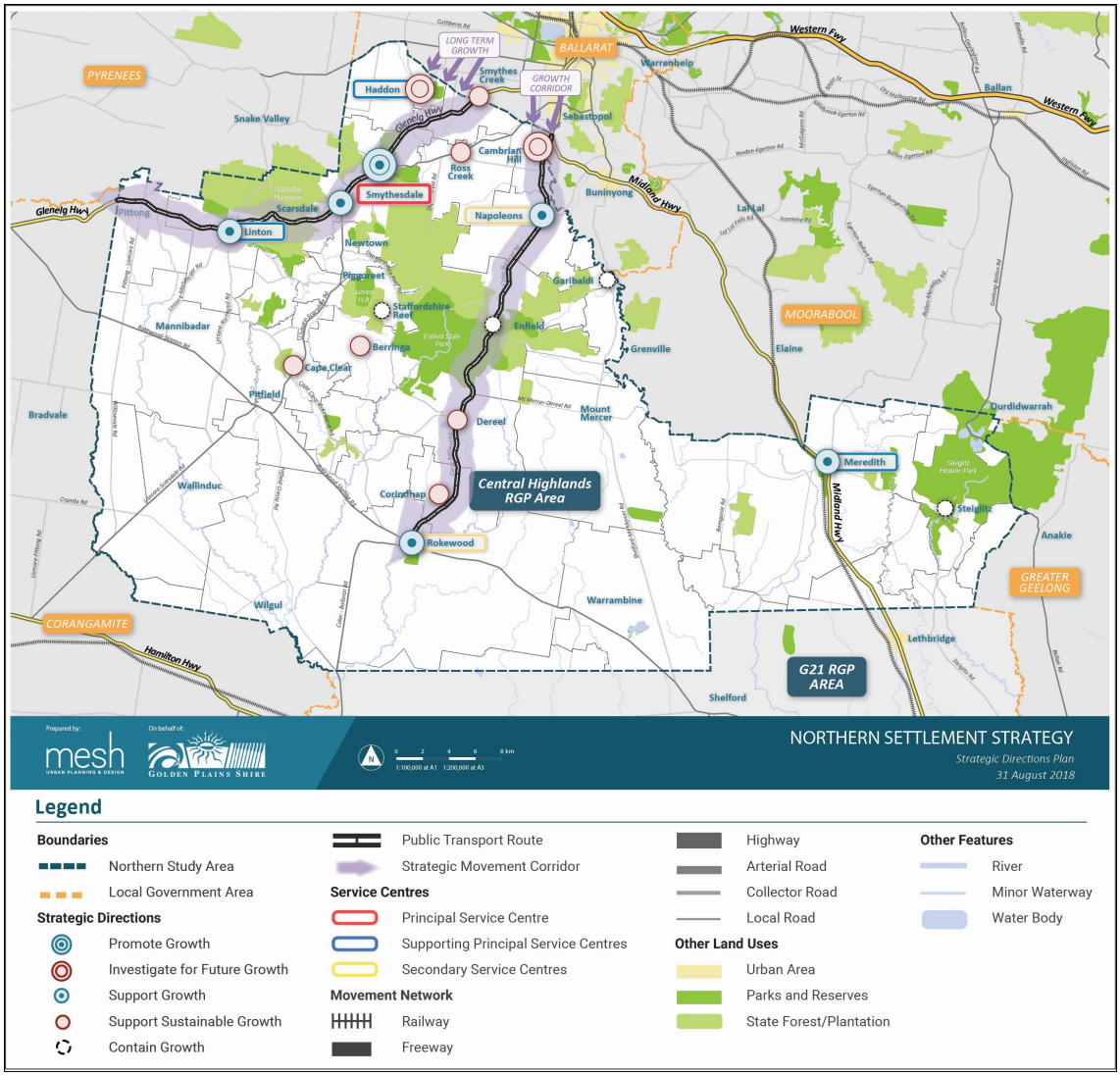
### Policy application

This policy applies to the areas identified in the Golden Plains Northern Settlement Strategy Strategic Directions Plan.

### Strategies

Facilitate and contain growth in accordance with the *Northern Settlement Strategy* (Golden Plains Shire, 2019).

### Golden Plains Northern Settlement Strategy Strategic Directions Plan



# 11.02 MANAGING GROWTH

31/07/2018
VC148

## 11.02-1S Development capacity

02/09/2025
VC283

### Objective

To ensure sufficient development opportunities are available to meet the needs of current and future Victorians.

### Strategies

Ensure that sufficient land is available to meet forecast demand and the needs of current and future Victorians for commercial, retail, recreational, institutional and other community needs.

Ensure that at least a 15 year supply of land and development capacity is available to meet housing targets.

Plan to accommodate housing targets and provide clear direction on the locations where growth should occur and ensure sufficient realisable capacity in planning schemes.

Ensure ongoing development opportunities and supporting infrastructure are available to support sustainable urban development.

Planning for urban growth should consider:

- Opportunities to consolidate, redevelop and intensify existing urban areas with good access to jobs and services.
- The liveability of neighbourhoods and delivery of quality urban landscapes.
- The limits of land capability and natural hazards and environmental quality.
- Service limitations and the costs of providing infrastructure.

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:

- *Plan for Victoria* (Department of Transport and Planning, 2025)
- *Melbourne Industrial and Commercial Land Use Plan* (Department of Environment, Land, Water and Planning, 2020)
- *Industrial and Commercial Land Classifications* (Department of Transport and Planning, 2025)

## 11.02-2S Structure planning

02/09/2025
VC283

### Objective

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

### Strategies

Give clear direction on preferred locations for investment.

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

Undertake comprehensive planning for existing areas undergoing transition and new areas to support 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.
- Deliver sufficient development capacity for residential development to ensure housing targets can be met.
- Deliver sufficient development capacity for industrial and commercial development to ensure an appropriate supply of land to meet local demand.

Structure plans should:

- Protect and enhance areas of natural and cultural significance.
- Address environmental risk and amenity.
- Support the effective management of natural resources.
- Deliver a quality built environment.
- Support the delivery of a diverse range of lot sizes and housing typologies.
- Deliver housing and population densities that make local services and transport viable.
- Support economic development.
- Facilitate 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: New Communities in Victoria* (Victorian Planning Authority, 2021).

## 11.02-3S Sequencing of development

02/09/2025
VC283

### 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.

Use staging plans to align the delivery of public infrastructure and services with housing and employment.

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:

- *North Growth Corridor Plan* (Victoria Planning Authority, 2012)
- *West Growth Corridor Plan* (Victoria Planning Authority, 2012)
- *Sunbury Growth Corridor Plan* (Victoria Planning Authority, 2012)
- *South East Growth Corridor Plan* (Victoria Planning Authority, 2012)
- *Precinct Structure Planning Guidelines: New Communities in Victoria* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*

# 11.03 PLANNING FOR PLACES

31/07/2018
VC148

## 11.03-1S Activity centres and precincts

02/09/2025
VC283

### Objective

To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres with good public transport services.

### Strategies

Build up the central activity areas of Major regional cities, Metropolitan activity centres, Priority Precincts, Suburban Rail Loop Precincts and Activity Centres - Housing Choice and Stations as a focus for high-quality development, activity and living that:

- Are a focus for business, shopping, working, leisure and community facilities.
- Provide different types of housing, including forms of higher density housing.
- Are connected by transport.
- Maximise choices in services, employment and social interaction.

Undertake strategic planning for the use and development of land in and around Major regional cities, Metropolitan activity centres, Priority Precincts, Suburban Rail Loop Precincts and Activity Centres - Housing Choice and Stations and their residential catchments.

Encourage a diversity of housing types at higher densities in and around Major regional cities, Metropolitan activity centres, Priority Precincts, Suburban Rail Loop Precincts and Activity Centres - Housing Choice and Stations and their residential catchments.

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.

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: New Communities in Victoria* (Victorian Planning Authority, 2021)

## 11.03-2S Growth areas

02/09/2025
VC283

### 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 corridor plans.

Deliver residential densities in the growth areas of Melbourne and Major regional cities of an average of at least:

- 30 dwellings per net developable hectare in locations within walkable distance of existing and proposed activity centres, train stations, major transport routes and public open spaces.
- 20 dwellings per net developable hectare in other growth area locations.

Provide housing diversity and choice through a mix of housing types, particularly in areas suitable for higher residential densities.

Deliver accessible, integrated and adaptable community infrastructure, including a high-quality network of public open space with opportunities for passive and active recreation.

Plan for the 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 high amenity, environmentally resilient and safe public realms that contribute to a sense of place, support cooling and greening, reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop and implement plans for growth areas 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: New Communities in Victoria* (Victorian Planning Authority, 2021) 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.
- Deliver 30 per cent tree canopy cover within the public realm and in open spaces (excluding areas dedicated to biodiversity or native vegetation conservation).

### Policy documents

Consider as relevant:

- *North Growth Corridor Plan* (Victorian Planning Authority, 2012)
- *West Growth Corridor Plan* (Victorian Planning Authority, 2012)
- *Sunbury Growth Corridor Plan* (Victorian Planning Authority, 2012)
- *South East Growth Corridor Plan* (Victorian Planning Authority, 2012)
- *Precinct Structure Planning Guidelines: New Communities in Victoria* (Victorian Planning Authority, 2021)
- *Ministerial Direction No. 12 – Urban Growth Areas*

## 11.03-3S Peri-urban areas

02/09/2025
VC283

### 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.

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

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

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

Improve connections to regional and metropolitan transport services.

## 11.03-4S Coastal settlement

02/09/2025
VC283

### 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.

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:

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

## 11.03-5S Distinctive areas and landscapes

30/04/2021
VC185

### Objective

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

### Strategies

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

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

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

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

Protect the identified key values and activities of these areas.

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

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

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

Protect areas that are important for food production.

### Policy documents

Consider as relevant:

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

## 11.03-5R The Great Ocean Road region

20/03/2023
VC229

### Objective

To manage the sustainable development of the Great Ocean Road region.

### Strategies

Protect public land and parks and identified significant landscapes in the Great Ocean Road region.

Ensure development responds to the identified landscape character of the area.

Manage the growth of towns by:

- Respecting the character of coastal towns and promoting best practice design for new development.
- Directing urban growth to strategically identified areas.

Manage the impact of development on catchments and coastal areas.

Manage the impact of development on the environmental and cultural values of the area.

Improve the management of access and transport by:

- Managing the Great Ocean Road for tourism and regional access.
- Enhancing the safety and travelling experience of the Great Ocean Road.
- Improving the safety and operational performance of the inland routes from the Princes Highway to the Great Ocean Road.
- Providing travel choices to and in the region.

Encourage sustainable tourism and resource use by:

- Developing a network of tourism opportunities throughout the region.
- Supporting tourism activities that provide environmental, economic and social benefits.
- Supporting the land use and transport needs of key regional industries including tourism.
- Using natural resources with care.

### 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)
- *The Great Ocean Road Region Landscape Assessment Study* (Department of Sustainability and Environment, 2003)
- *The Great Ocean Road Region* - A Land Use and Transport Strategy (Department of Sustainability and Environment, 2004)

## 11.03-6S Regional and local places

31/07/2018
VC148

### Objective

To facilitate integrated place-based planning.

### Strategies

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

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

## 11.03-6L-01 Bannockburn

20/12/2024
C102gpla

### Policy application

This policy applies to the land identified on the Bannockburn Framework Plan.

### Settlement strategies

Identify existing and future bushfire hazards and ensure buffers between vegetation and development are provided and managed to reduce bushfire risks and improve community resilience.

Manage interim bushfire hazards during settlement expansion.

Reinforce the Bannockburn Town Centre as the primary location for retail floorspace in Bannockburn.

Provide a supplementary retail centre in the location supported by the Bannockburn Framework Plan.

Develop Milton Street to provide a future road link across Bruce's Creek to serve future residential areas to the west of Bannockburn.

Support medium density housing in locations close to retail and community facilities.

Identify appropriate buffers to surrounding agriculture uses, transport corridors and utilities infrastructure and plan for compatible, non-sensitive uses within these buffers.

### Land use and development strategies

Support a wide range of industry and business activities to meet the needs of a growing population and to provide increased employment opportunities.

Support a diversity of uses within the Bannockburn Town Centre.

Support the re-use of existing housing stock, particularly heritage buildings for professional/commercial uses in the Township Zone and Commercial 1 Zone to retain a sense of the existing town fabric.

Support cafés and restaurants to include an outdoor seating area, particularly where it activates the use of open plaza areas.

Deliver a second arterial road to support Bannockburn's growth and enable more efficient through-freight movements.

Encourage the use of perimeter roads adjacent to bushfire hazards to provide a hard surface edge between vegetation and development.

Locate land uses associated with vulnerable people including residential aged care facilities and education centres away from bushfire hazards, particularly the Bannockburn Flora and Fauna Reserve.

Protect and enhance Aboriginal Cultural Heritage significance and promote Aboriginal history and culture when planning for new urban development.

### Urban design strategies

Maintain the village character of Bannockburn by:

- Protecting historic buildings, wide tree-lined avenues and low-scale streetscapes.
- Providing walking and cycling linkages to open space areas, community facilities and the town centre in new development and subdivision.
- Providing attractive and usable public spaces adjacent to or close to the town centre to encourage social activity.

Design development to maintain view corridors to the Shire Hall.

Locate car parking so it does not dominate road frontages and the streetscape.

Encourage residential subdivision and development that respects Bannockburn's rural character.

Support residential and other development at the rural interface where it provides a sympathetic transition to the adjoining rural landscape.

Ensure the design and layout of development appropriately manages and responds to the settlement bushfire interface.

Ensure development is designed to be capable of implementing vegetation management requirements to reduce bushfire risks on private and public land.

Ensure the use of non-combustible design elements for the construction of walking, cycling and riding trails and flammable resistant building materials for public assets such as street furniture and art work to reduce bushfire risk.

### Open space strategies

Provide open space areas in new developments that incorporate pedestrian, bicycle or riding trail paths to other open space areas such as the Bruce's Creek Corridor.

Create flora and fauna corridors within open space reserves that incorporate locally indigenous vegetation, where there are identified biodiversity values.

Create open space and drainage assets that perform both recreational and environmental functions.

Create a linear open space network connecting Bannockburn's growth areas with the Bruce's Creek corridor.

Facilitate a vegetation belt at the Bannockburn growth boundary for future use as a walking, cycling and riding trail.

Ensure vegetation within the Bannockburn Flora and Fauna Reserve, Bruce's Creek, constructed waterway corridors and other local environmental assets are managed to mitigate bushfire risk.

### Bruce's Creek strategies

Protect and regenerate areas of native vegetation and existing stands of significant trees within the environs of Bruce's Creek to preserve and improve habitat.

Manage vegetation in Bruce's Creek environs to ensure bushfire risks are not increased over time and to ensure that development surrounding the waterway corridor caters for future regeneration activity.

Support the use of Bruce's Creek as an active transport corridor.

Protect and enhance the function of and connectivity between the key environmental assets of Bruce's Creek and the Bannockburn Flora and Fauna Reserve.

Facilitate open space connections into the Bruce's Creek corridor.

Provide walking and cycling trails, preferably on the eastern side of Bruce's Creek.

Protect vistas, view lines and visual amenity along the Bruce's Creek environs.

Facilitate the acquisition of all land between the tops of the escarpment and forming the rim of the Bruce's Creek valley as public open space.

Facilitate opportunities for passive surveillance of the open space system.

Set back the roadway from the rim of Bruce's Creek to form a separation to the public open space.

Include Integrated Water Management (IWM) principles in the planning of future growth areas.

### Policy documents

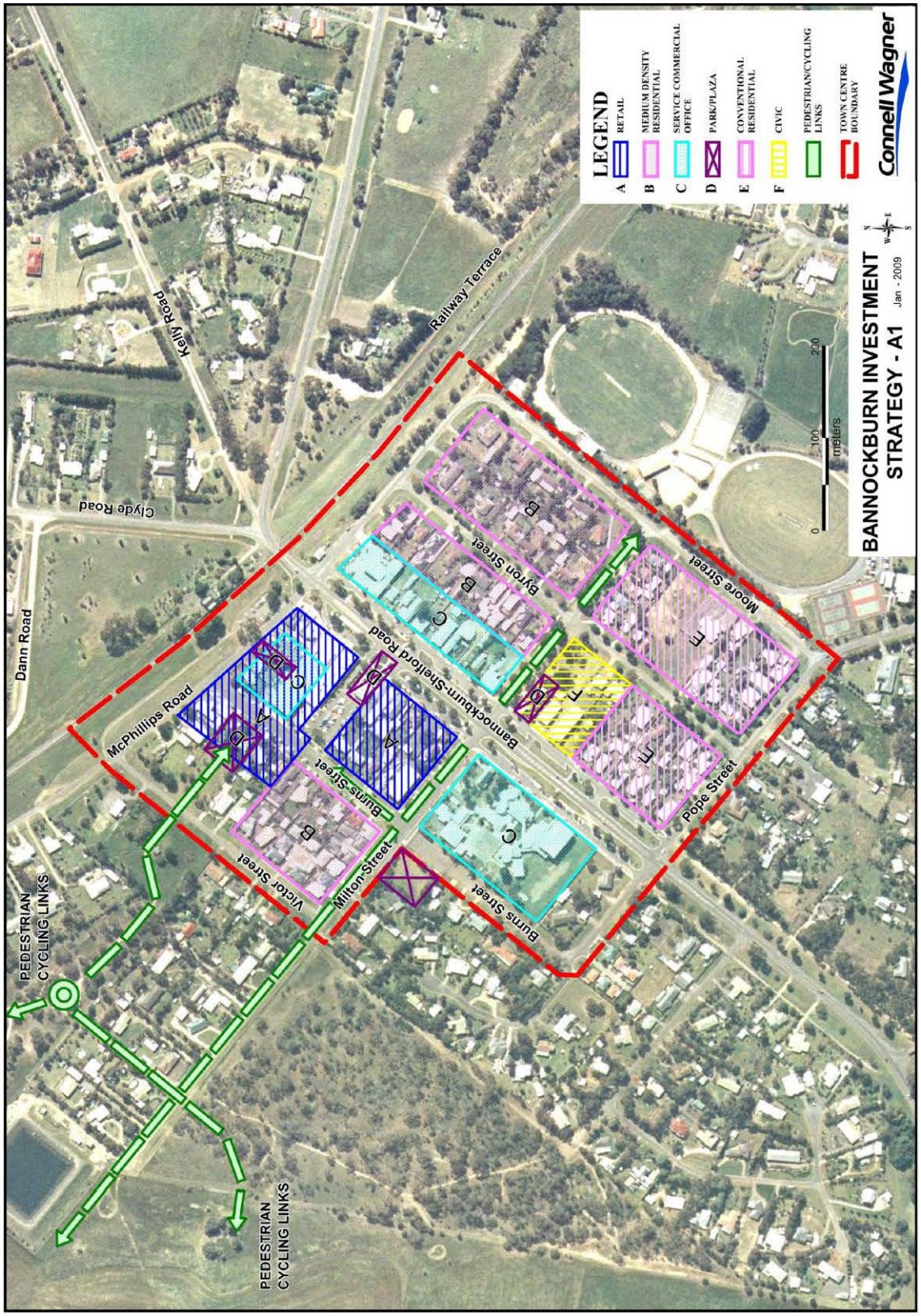
Consider as relevant:

- *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021)

- *Strategic Bushfire Risk Assessment for the Bannockburn Growth Plan Investigation Area* (Ecology and Heritage Partners Pty Ltd, August 2020)
- *Bannockburn Town Centre Investment Strategy* (Connell Wagner, 2008)
- *Bruce's Creek Master Plan* (Land Design Partnership, 2009)
- *Golden Plains Heritage Study Stage 2* (Heritage Matters, 2009)

## Bannockburn Framework Plan

## Bannockburn Land Use Precinct Plan



## 11.03-6L-02 Gheringhap

20/12/2024
C102gpla

### Policy application

This policy applies to the land identified on Gheringhap Framework Plan.

### Strategies

Direct commercial and industrial use and development to the area specified on the Gheringhap Framework Plan.

Avoid residential development within the Gheringhap Employment Area unless it is directly associated with and required to support a significant commercial, industrial or agricultural activity.

Support commercial or industrial use and development that takes advantage of the locality's proximity to infrastructure, such as state highways, railways, high pressure gas pipeline, high voltage electricity transmission line and water pipelines.

Support sensitive commercial or industrial development on land that abuts existing residential development along McCurdy Road.

Ensure that development is setback from the Midland Highway and the Fyansford-Gheringhap Road.

Locate and design industrial and commercial development to provide a landscaped interface and setback from existing residential development and road frontages.

Encourage landscaping be undertaken using local indigenous plant species or other native plant species and achieves a high level of amenity.

Support development that allows for safe vehicle movement, well-presented car parking and improved access in the Gheringhap Employment Area, including through the reconfiguration of the road system.

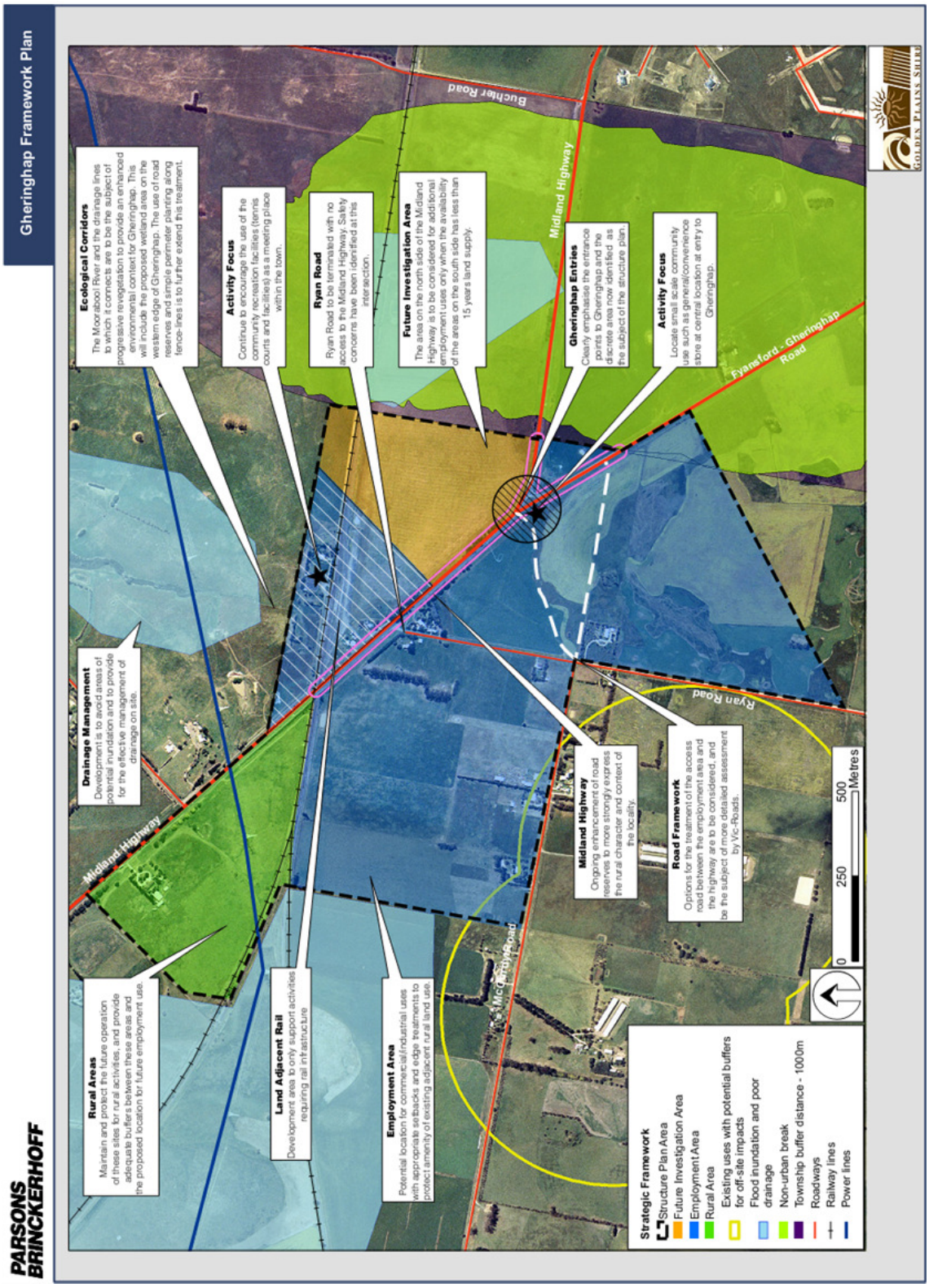
### Policy document

Consider as relevant:

- *Gheringhap Structure Plan* (Parsons Brinckerhoff, December 2012).

### Expiry

This policy will expire six years from the date of gazettal of Amendment C90gpla.


Gheringhap Framework Plan
PARSONS BRINCKERHOFF
Ecological Corridors
The Moorabool River and the drainage lines to which it connects are to be the subject of progressive revegetation to provide an enhanced environmental context for Gheringhap. This will include the proposed wetland area on the western edge of Gheringhap. The use of road reserves and simple perimeter planting along fence-lines is to further extend this treatment.
Activity Focus
Continue to encourage the use of the community recreation facilities (tennis courts and facilities) as a meeting place within the town.
Ryan Road
Ryan Road to be terminated with no access to the Midland Highway. Safety concerns have been identified at this intersection.
Future Investigation Area
The area on the north side of the Midland Highway is to be considered for additional employment uses only when the availability of the areas on the south side has less than 15 years land supply.
Gheringhap Entries
Clearly emphasise the entrance points to Gheringhap and the discrete area now identified as the subject of the structure plan.
Activity Focus
Locate small scale community use such as general/convenience store at central location at entry to Gheringhap.
Drainage Management
Development is to avoid areas of potential inundation and to provide for the effective management of drainage on site.
Rural Areas
Maintain and protect the future operation of these sites for rural activities, and provide adequate buffers between these areas and the proposed location for future employment use.
Land Adjacent Rail
Development area to only support activities requiring rail infrastructure
Employment Area
Potential location for commercial/industrial uses with appropriate setbacks and edge treatments to protect amenity of existing adjacent rural land use.
Midland Highway
Ongoing enhancement of road reserves to more strongly express the rural character and context of the locality.
Road Framework
Options for the treatment of the access road between the employment area and the Highway are to be considered, and be the subject of more detailed assessment by Vic-Roads.
Buchter Road
Midland Highway
Ryan Road
Fyansford - Gheringhap Road
McCarthys Road
Strategic Framework
Structure Plan Area
Future Investigation Area
Employment Area
Rural Area
Existing uses with potential buffers for off-site impacts
Flood inundation and poor drainage
Non-urban break
Township buffer distance - 1000m
Roadways
Railway lines
Power lines
0
250
500
Metres
GOLDEN PLAINS SHIRE

## 11.03-6L-03 Inverleigh

20/12/2024
C102gpla

### Policy application

This policy applies to the land identified on the Inverleigh Framework Plan contained within the settlement boundary.

### Objective

To encourage residential, commercial and tourism growth in Inverleigh while recognising its rural setting, risks from natural hazards and protecting the natural landscape in and around the town.

### Settlement and residential development strategies

Support moderate residential growth within the existing defined settlement boundary consistent with the Inverleigh Framework Plan.

### Economic development and tourism strategies

Encourage commercial development and community facilities to be consolidated within the existing town centre (Township Zone) through infill development.

Encourage the redevelopment of underutilised sites and where possible, the re-use of existing buildings to provide for commercial uses in the Township Zone.

Support the establishment of service related industries that meet the needs of the town and surrounding agricultural areas such as feed supplies and servicing of machinery and farm equipment.

Locate and design development so that it does not impact on agricultural land use.

### Open space and natural environment strategies

Protect the natural landscape and its environmental qualities, including the Inverleigh Flora and Fauna Reserve, Barwon and Leigh rivers and vegetation as fundamental elements of Inverleigh.

Provide public open space along the Leigh River and develop a linear pedestrian access to connect with existing pedestrian access along the river and into the town centre when rezoning or subdividing land.

Provide for the integration of new bio-links and open space networks consistent with the Inverleigh Framework Plan and that do not increase bushfire risk.

### Movement and access strategies

Create a path network that facilitates walking and cycling to the town centre, primary school, recreation reserve, open space and other key destinations within the town.

Provide integrated pedestrian and cycle links in development areas to improve connectivity to the town centre and key destinations.

Create a bridle path network that facilitates horse-riding around the town and through the river environs and other key destinations such as Victoria Park.

Maintain the railway reservation for a passenger rail to and from Inverleigh.

### Infrastructure and services strategies

Support the establishment of reticulated sewerage in Inverleigh.

### Bushfire planning strategies

Provide appropriately designed setbacks between development and the Inverleigh Flora and Fauna Reserve, Inverleigh Golf Course and new bio-links.

Minimise bushfire risk by staging the development of land adjacent to built-up areas first.

Ensure access and egress to Inverleigh is sufficient for emergency vehicles and supports safe evacuation.

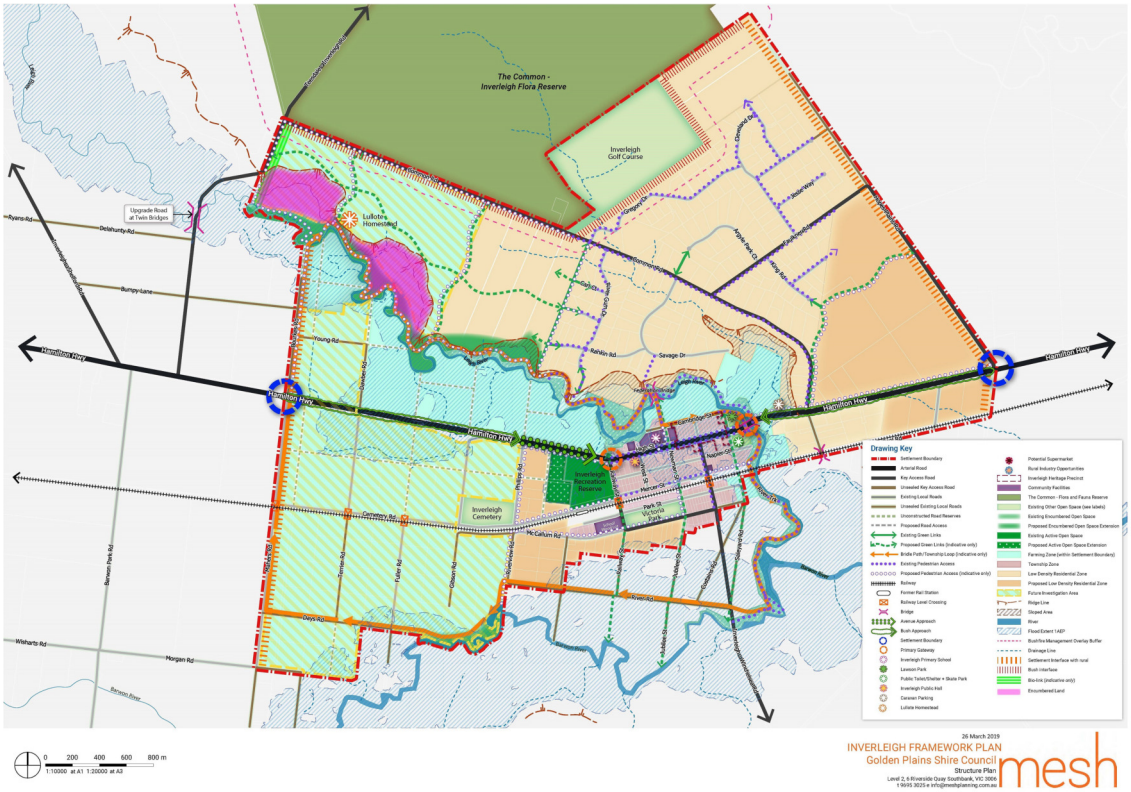
Ensure development adjacent to the Inverleigh Flora and Fauna Reserve and any bio-link is designed to withstand all forms of bushfire attack.

### Policy document

Consider as relevant:

- *Inverleigh Structure Plan* (Golden Plains Shire, 2019).

### Inverleigh Framework Plan



## 11.03-6L-04 Smythesdale

20/12/2024
C102gpla

### Policy application

This policy applies to the land identified on the Smythesdale Strategic Framework Plan.

### Settlement, land use and development strategies

Direct growth to within the identified town boundary.

Facilitate residential development on smaller lots to provide for a range of housing options.

Support medium density housing and aged care facilities close to the town centre.

Support the establishment of a range of health services and facilities such as childcare, aged care accommodation and a medical centre.

Support well presented, non-polluting, service businesses within the Commercial 2 Zone precinct.

Support tourist accommodation, such as bed and breakfasts, farm stays, self-contained cottages or units and caravan parks.

Avoid commercial development outside of the core township area unless there is a net community benefit.

Locate new leisure and recreation facilities to adjoin the Rail Trail and Woady Yaloak Creek environs, building upon the central location of both the Woady Yaloak Primary School and the Recreation Centre.

### Urban design strategies

Provide pedestrian links within the township, in particular between the Courthouse precinct, school, recreation centre and rail trail.

Require development in the main street to front Brooke Street.

Maintain pedestrian links and wildlife corridors between the Rural Living Zoned areas on the eastern side of Smythesdale and the nearby State Forest.

### Environment and infrastructure strategies

Protect the Woady Yaloak Creek environs, including open space corridors, floodplains and the surrounding forested public land from the encroachment of development.

Design and manage drainage from residential areas to minimise the volume and speed of run off entering the Woady Yaloak Creek.

Support the development of 'firebreaks', particularly along boundaries of the town with rural land and forested public land.

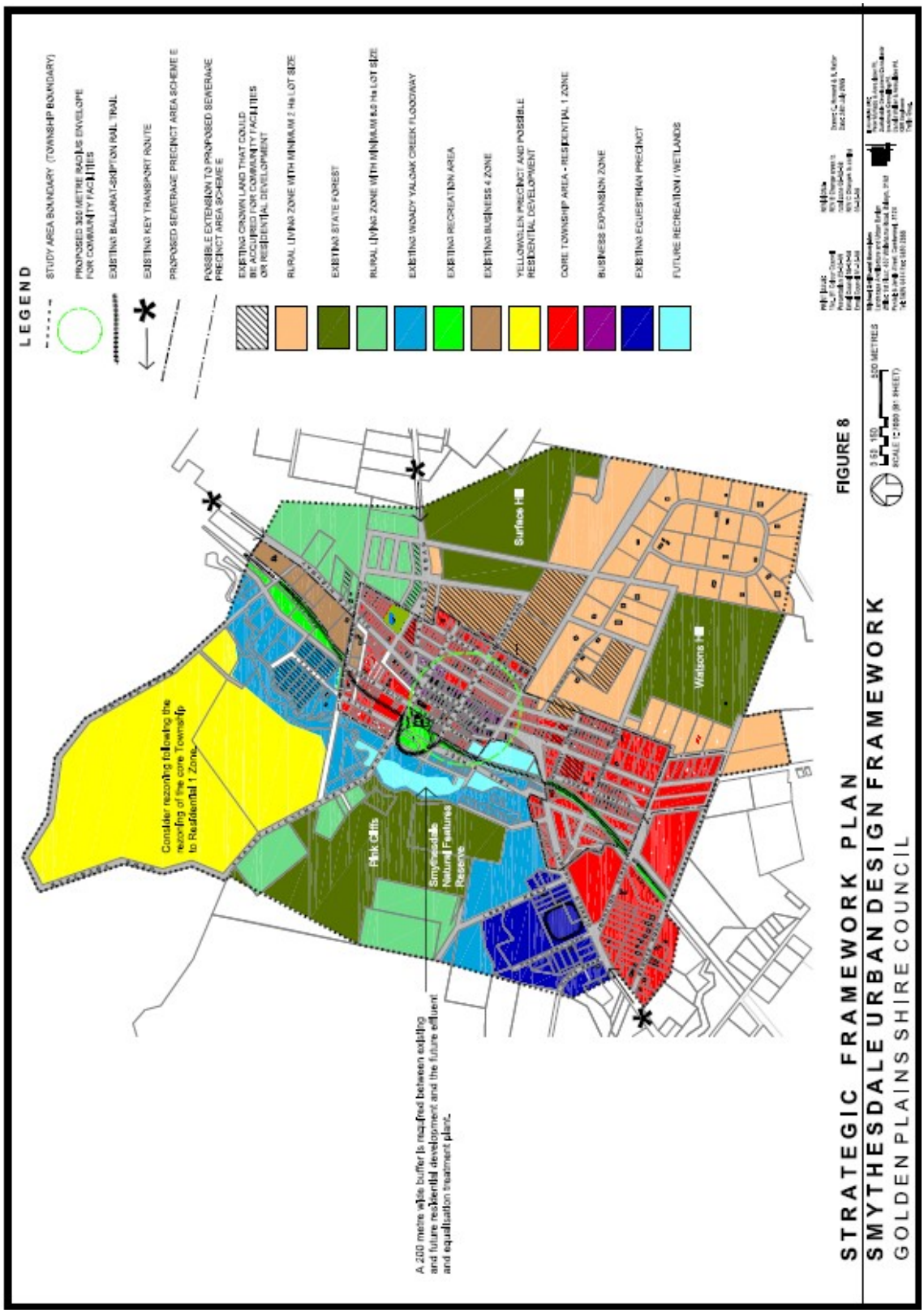
Ensure management of drainage and stormwater infrastructure is linked with the implementation of the reticulated sewerage system.

### Policy document

Consider as relevant:

- *Smythesdale Urban Design Framework* (Michael Smith and Associates, March 2006).

## Smythesdale Strategic Framework Plan



## 11.03-6L-05 Teesdale

30/06/2022
C92gpla

### Policy application

This policy applies to the land identified in the Teesdale Structure Plan Strategic Framework Plan.

### Settlement Strategies

Implement the Teesdale Structure Plan Strategic Framework Plan.

Ensure development contributes to the landscape, character and history of the town.

Encourage low density residential as the preferred form of settlement growth.

Encourage infill residential subdivision and development where constraints can be managed.

Avoid rezoning any land outside of the Teesdale Settlement Boundary.

Ensure any proposed rezoning and development within the Teesdale Future Growth Investigation Area considers land supply and demand, biodiversity, constraints including bushfire and flooding, the former Teesdale landfill, roads, drainage, open space and community infrastructure, regardless of land ownership.

Ensure development within the Teesdale Future Growth Investigation Area responds to topography, landscape and natural features.

Ensure a suitable development contributions mechanism is in place for the Teesdale Future Growth Investigation Area.

### Land use and development strategies

Encourage commercial services to be developed within the existing Township Zone.

Support commercial uses where the intensity, scale and landscaping respect the existing streetscape and character of the area.

### Open space strategies

Utilise encumbered land within greenfield sites for open space purposes where possible, including buffers along Native Hut Creek where required by the Corangamite Catchment Management Authority.

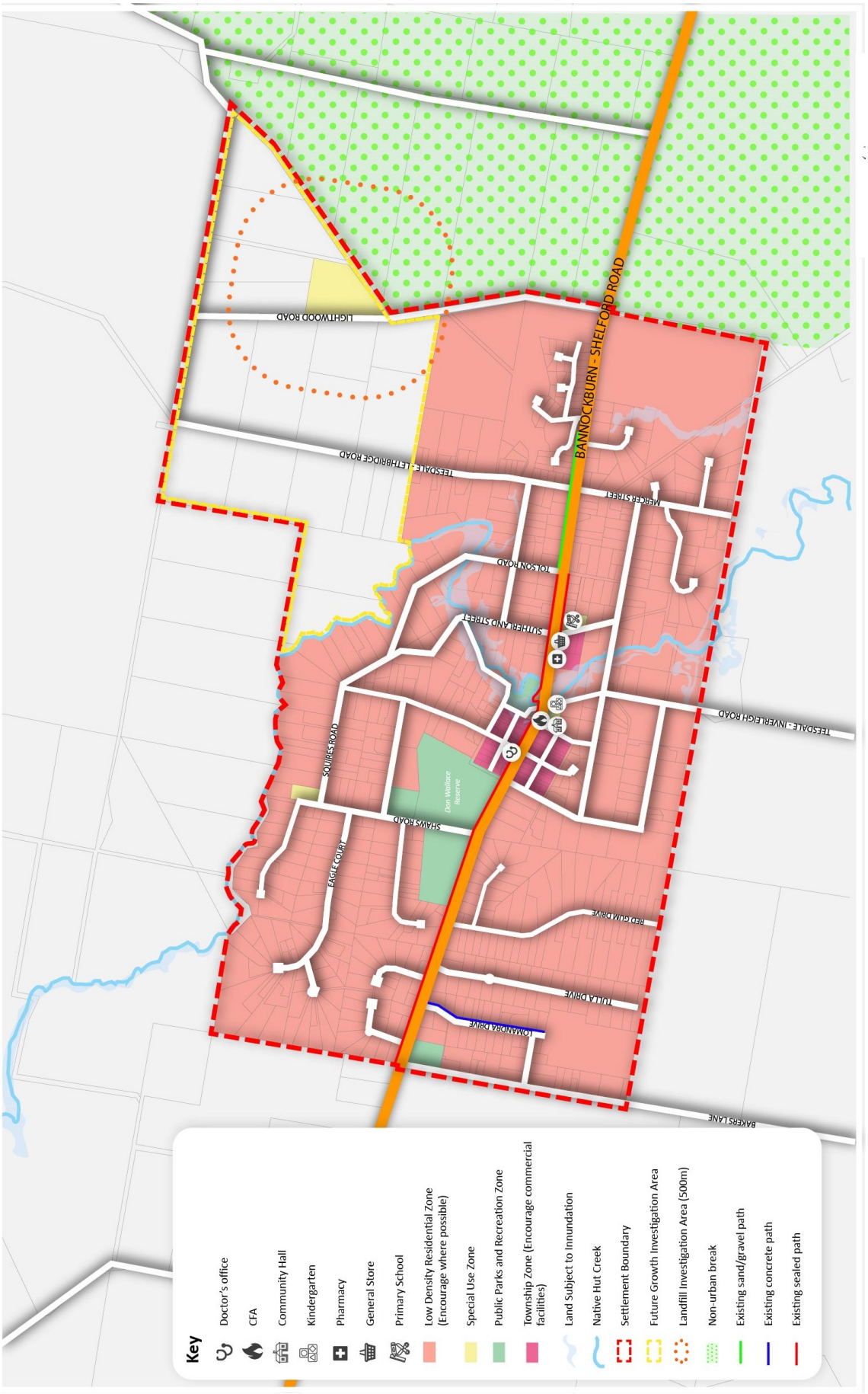
Strengthen connectivity of new and existing development to the town centre core and recreation areas by enhancing pedestrian and cycling links.

### Policy documents

Consider as relevant:

*Teesdale Structure Plan* (Golden Plains Shire, October 2021)

## Teesdale Structure Plan Strategic Framework Plan



## 12 ENVIRONMENTAL AND LANDSCAPE VALUES

10/06/2022
VC216

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

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

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

## 12.01 BIODIVERSITY

31/07/2018
VC148

## 12.01-1S Protection of biodiversity

30/10/2025
VC291

### 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 Energy, Environment and Climate Action, 2025)
- *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)

## 12.01-2S Native vegetation management

30/10/2025
VC291

### 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 Energy, Environment and Climate Action, 2025):

- 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 Energy, Environment and Climate Action, 2025)
- *Assessor's handbook – applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, 2017)

# 12.02 MARINE AND COASTAL ENVIRONMENT

06/09/2021
VC171

## 12.02-1S Protection of the marine and coastal environment

20/03/2023
VC229

### Objective

To protect and enhance the marine and coastal environment.

### Strategies

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

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

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

Avoid disturbance of coastal acid sulfate soils.

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

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

## 12.02-2S Marine and coastal Crown land

20/03/2023
VC229

### Objective

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

### Strategies

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

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

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

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

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

## 12.03 WATER BODIES AND WETLANDS

31/07/2018
VC148

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

16/12/2022
VC201

### Objective

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

### Strategies

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

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

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

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

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

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

Enhance a sense of place and landscape identity by:

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

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

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

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

## 12.03-1R Rivers of the Barwon

16/12/2022
VC201

### Objective

To maintain and enhance the natural landscape, biodiversity, cultural and social values, and the Traditional Owner living cultural heritage values of the Rivers of the Barwon, comprising the Barwon (Parwan), Leigh (Waywatcurtan), Moorabool (Mooroobull) and Yarrowee (Yarowee) Rivers, their tributaries and wetlands.

### Strategies

Protect places of living cultural heritage value to the region's Traditional Owners including the confluences of the Leigh, Barwon and Moorabool Rivers, Lal Lal Falls and the Lake Connewarre Delta.

Protect and enhance the environmental qualities and landscape values of the headwaters of the Barwon, Yarrowee and Moorabool Rivers and the tributaries of the Rivers of the Barwon.

Protect and enhance wetlands and significant waterbodies including Lake Gherang, Wurdiboluc Reservoir, Lake Modewarre, Lake Thurrumbong, Lake Ayrey, West Barwon Dam, and Ramsar Convention listed Lake Connewarre, Reedy Lake and Hospital Swamp from development that threatens their ability to support terrestrial, aquatic and avian species.

Protect views of significant landscapes including gorges and waterfalls along the Moorabool River, including the Lal Lal Falls, the steep escarpments and falls of the Barwon River, the open rural scenery of the Leigh and Yarrowee Rivers and the expansive and open wetlands of the Lake Connewarre system.

Balance the protection and restoration of the Rivers of the Barwon with planned urban growth and development.

Design and site development in urban growth areas with river frontage to provide opportunities for waterway access, activation, and conservation.

Encourage development to create links between open space corridors along the rivers with activity centres including Geelong and Ballarat.

Protect and prioritise movement and green linkages and public access to the river along river corridors including the Wallaby Track in Ballarat, River Track in Inverleigh, and Barwon River Trail in Geelong.

Protect and enhance existing and proposed parklands along the Barwon, Leigh, Moorabool and Yarrowee Rivers.

## 12.03-1L Waterways and wetlands

09/07/2020
C90gpla

### Strategies

Protect the quality of waterways, including wetlands, from the impacts of development and subdivision by incorporating setbacks and water sensitive urban design.

Protect connectivity between waterways and wetlands.

Avoid development that isolates wetlands.

Avoid development that results in the drainage of waterways and wetlands.

Provide fencing to waterways and wetlands where needed to control unrestricted access by livestock or people.

## 12.04 ALPINE AREAS

31/07/2018
VC148

## 12.04-1S Sustainable development in alpine areas

20/03/2023
VC229

### Objective

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

### Strategies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

## 12.05 SIGNIFICANT ENVIRONMENTS AND LANDSCAPES

31/07/2018
VC148

## 12.05-1S Environmentally sensitive areas

31/07/2018
VC148

### Objective

To protect and conserve environmentally sensitive areas.

### Strategies

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

## 12.05-2S Landscapes

31/07/2018
VC148

### Objective

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

### Strategies

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

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

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

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

Ensure important natural features are protected and enhanced.

# 12.06 SUSTAINABLE ENVIRONMENT

02/09/2025
VC283

## 12.06-1S Urban forests

02/09/2025
VC283

### Objective

To protect and enhance tree canopy in urban areas.

### Strategies

Contribute to achieving an overall 30 per cent tree canopy target for urban areas by:

- Encouraging the retention of existing canopy trees.
- Promoting the planting of new canopy trees:
  - Within the public realm and open space (excluding areas dedicated to biodiversity or native vegetation conservation).
  - On private land.

Ensuring that canopy tree species are appropriate for the locality, available space, growing conditions and future climate conditions.

### Policy documents

Consider as relevant:

- *Trees for Cooler and Greener Streetscapes Planning and Design Guidelines* (Department of Environment, Land, Water and Planning, 2019)

## 13 ENVIRONMENTAL RISKS AND AMENITY

01/07/2021
VC203

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

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

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

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

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

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

# 13.01 CLIMATE CHANGE IMPACTS

31/07/2018
VC148

## 13.01-1S Natural hazards and climate change

05/09/2025
VC268

### 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 Action Act 2017*.

### Policy documents

Consider as relevant:

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

## 13.01-2S Coastal inundation and erosion

05/09/2025
VC268

### 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 Action 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)

## 13.01-3S Urban heat

02/09/2025
VC283

### Objectives

To reduce urban heat and minimise impacts of urban heat on human health and wellbeing.

### Strategies

Support development that contributes to cooler urban environments.

Support cooling design responses in urban areas through the:

- Planting and maintenance of canopy trees and other vegetation.
- Use of integrated water management.
- Provision of shading of pedestrian walkways.
- Use of permeable surfaces and low heat absorbing surface materials, such as green roofs and walls.

Encourage use of alternative water resources such as recycled water, stormwater and rainwater to support canopy tree and vegetation growth.

### Policy documents

Consider as relevant:

- *Trees for Cooler and Greener Streetscapes Planning and Design Guidelines* (Department of Environment, Land, Water and Planning, 2019)

# 13.02 BUSHFIRE

31/07/2018
VC148

## 13.02-1S Bushfire planning

20/03/2023
VC229

### Policy application

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

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

### Objective

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

### Strategies

#### Protection of human life

Give priority to the protection of human life by:

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

#### Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

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

### Settlement planning

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

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

### Areas of biodiversity conservation value

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

### Use and development control in a Bushfire Prone Area

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

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

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

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

# 13.03 FLOODPLAINS

31/07/2018
VC148

## 13.03-1S Floodplain management

20/03/2023
VC229

### Objective

To assist the protection of:

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

### Strategies

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

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

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

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

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

## 13.03-1L Golden Plains floodplain management

20/12/2024
C102gpla

### Policy application

This policy applies to all land affected by the Floodway Overlay (FO) or the Land Subject to Inundation Overlay (LSIO).

### Strategies

Direct buildings and works to land not subject to flooding.

Discourage subdivision that would increase risk to life and property from flooding.

Discourage earthworks that obstruct natural flow paths or drainage lines.

Encourage fences to be of an open type, such as post and wire.

### Policy documents

Consider as relevant:

- *Corangamite Catchment Management Authority Regional Catchment Strategy 2021-2027* (Corangamite Catchment Management Authority, 2021)
- *Corangamite Waterway Strategy* (Corangamite Catchment Management Authority, 2014)

## 13.04 SOIL DEGRADATION

31/07/2018
VC148

## 13.04-1S Contaminated and potentially contaminated land

04/05/2022
VC210

### Objective

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

### Strategies

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

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

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

### Policy guideline

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

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

### Policy documents

Consider as relevant:

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

## 13.04-2S Erosion and landslip

31/07/2018
VC148

### Objective

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

### Strategies

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

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

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

### Policy guidelines

Consider as relevant:

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

## 13.04-3S Salinity

31/07/2018
VC148

### Objective

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

### Strategies

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

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

Prevent inappropriate development in areas affected by groundwater salinity.

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

## 13.04-3L Salinity in Golden Plains

09/07/2020
C90gpla

### Strategies

Discourage land uses or development that leads to the expansion of existing areas affected by salinity or the generation of new areas affected by salinity.

Encourage land use and development that improves surface water and groundwater hydrological flow in the Salinity Management Overlay to mitigate the degradation or loss of naturally saline lakes and wetlands, particularly from the effects of reduced surface water flows or drainage.

Manage the impacts of soil salinity on development through:

- Careful siting of development.
- Selection of durable construction materials.
- Site landscaping and revegetation works.
- Watering and irrigation systems.
- Reducing the extent of impervious surfaces.
- Management of surface water runoff.

# 13.05 NOISE

31/07/2018
VC148

## 13.05-1S Noise management

10/06/2022
VC216

### Objective

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

### Strategy

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

# 13.06 AIR QUALITY

31/07/2018
VC148

## 13.06-1S Air quality management

14/01/2025
VC237

### 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 AMENITY AND SAFETY

26/05/2020
VC175

## 13.07-1S Land use compatibility

14/01/2025
VC237

### 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)

## 13.07-2S Major hazard facilities

26/10/2018
VC152

### Objective

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

### Strategies

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

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

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

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

## 13.07-3S Live music

01/07/2025
VC286

### 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.

## 14 NATURAL RESOURCE MANAGEMENT

31/07/2018
VC148

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

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

# 14.01 AGRICULTURE

31/07/2018
VC148

## 14.01-1S Protection of agricultural land

20/03/2023
VC229

### Objective

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

### Strategies

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

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

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

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

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

Prevent inappropriately dispersed urban activities in rural areas.

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

Limit new housing development in rural areas by:

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

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

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

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

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

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

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

## 14.01-1L Rural dwellings, excisions and subdivision in the Farming Zone

09/07/2020
C90gpla

### Policy application

This policy applies to all land within the Farming Zone (FZ).

### Strategies

Discourage dwelling excisions that prejudice surrounding rural production activities or cause negative impact on environmental or landscape qualities of the area.

Discourage the clustering of lots that will limit the productive use and development of the larger lots in the subdivision or surrounding properties.

Design and locate lots to minimise impact on significant environmental features such as remnant vegetation, public park reserves and waterways.

Maintain adequate distance within the lot around the dwelling to reasonably limit impacts of adjacent agricultural activity.

Avoid dwellings on undersized lots that would limit the productive use of surrounding agricultural land.

Discourage house lot excisions in the north-west area of the Shire where there is:

- Insufficient infrastructure.
- Environmental constraints.
- Existing supply of available rural residential land.

### Policy guidelines

Consider as relevant:

- Ensuring an excised lot for a dwelling has a maximum size of 2 hectares.
- Whether excised dwellings are in a habitable condition.
- Whether planting of vegetation within the excised lot can be used to reduce any potential impacts of adjacent agricultural activity.

### Policy documents

Consider as relevant:

- *Golden Plains Rural Land Use Strategy* (Parsons Brinckerhoff, January 2008).

## 14.01-2S Sustainable agricultural land use

21/09/2018
VC150

### Objective

To encourage sustainable agricultural land use.

### Strategies

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

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

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

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

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

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

Facilitate ongoing productivity and investment in high value agriculture.

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

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

### Policy documents

Consider as relevant:

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

## 14.01-2R Agricultural productivity - Geelong G21

31/07/2018
VC148

### Strategy

Support new opportunities in farming and fisheries.

## 14.01-2L-01 Sustainable agricultural land use

20/12/2024
C102gpla

### Strategies

Facilitate more intensive and diversified use of rural land for higher value products, including agroforestry and timber plantations, that are compatible with surrounding farming practice.

Support horticulture production that minimises the potential for off-site effects such as spraydrift.

## 14.01-2L-02 Animal industries

20/12/2024
C102gpla

### Policy application

This policy applies to applications for the use and development of land for intensive animal production that are not covered by a Code of Practice incorporated in the planning scheme.

### Objectives

To support the development of intensive animal industries.

To ensure the use and development of land for intensive animal production does not impact on the environment, including on water catchments.

To protect the amenity of residential uses with buffer areas and setbacks.

### Strategies

Direct intensive animal industries to land within or close to the Golden Plains Food Production Precinct shown on the Golden Plains Strategic Framework Plan at Clause 02.04.

Direct intensive animal industries to sites with an area of 4 hectares or more.

Locate enclosures, yards or buildings in which animals are raised on an intensive raising system more than:

- 200 metres from any river, creek, water course or pondage.
- 500 metres from a dwelling on any other property.
- 30 metres from any road (whether or not such road forms the frontage).

### Policy guideline

Consider as relevant:

- Ensuring that the area of the site that is developed with enclosures, yards or buildings used to hold animals is fenced.
- Ensuring that, where practical, buffer areas are contained wholly on the property.
- Encouraging landscaping of the site to minimise any adverse visual impact on the surrounding area.
- Ensuring that all manure and polluted run-off water is treated and disposed of within the boundaries of the site or in an alternative manner to the satisfaction of the responsible authority.
- Ensuring that the use and development does not prejudicially affect the amenity of the locality because of appearance or emission of noise, smell, fumes, waste water, waste products or otherwise.
- Providing any required infrastructure (such as roads and water supply) at the cost of the proponent.

## 14.01-3S Forestry and timber production

20/03/2023
VC229

### Objective

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

### Strategies

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

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

Ensure protection of water quality and soil.

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

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

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

### Policy documents

Consider as relevant:

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

## 14.01-3L Timber production and agroforestry

09/07/2020
C90gpla

### Strategies

Support the development and expansion of timber production and agroforestry within areas that are capable of providing road infrastructure to both plant and harvest crops.

## 14.02 WATER

31/07/2018
VC148

## 14.02-1S Catchment planning and management

22/11/2024
VC263

### Objective

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

### Strategies

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

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

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

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

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

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

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

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

Require appropriate measures to restrict sediment discharges from construction sites.

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

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

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

## 14.02-2S Water quality

22/11/2024
VC263

### 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 Protection of declared irrigation districts

28/10/2022
VC224

### Objective

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

### Strategies

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

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

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

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

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

### Policy documents

Consider as relevant:

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

## 14.03 EARTH AND ENERGY RESOURCES

31/07/2018
VC148

## 14.03-1S Resource exploration and extraction

19/08/2021
VC196

### Objective

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

### Strategies

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

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

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

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

Develop and maintain buffers around mining and extractive industry activities.

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

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

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

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

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

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

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

### Policy documents

Consider as relevant:

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

## 15 BUILT ENVIRONMENT AND HERITAGE

02/09/2025
VC283

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.
- Celebrate, acknowledge and protect cultural heritage.
- Enhance the function, amenity and safety of the public realm.

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

Planning should facilitate development that:

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

# 15.01 BUILT ENVIRONMENT

31/07/2018
VC148

## 15.01-1S Urban design

02/09/2025
VC283

### 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 and heritage, 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)

## 15.01-2S Building design

01/01/2024
VC250

### 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 Subdivision design

01/01/2024
VC250

### 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)

## 15.01-3L Low density residential subdivision

20/12/2024
C102gpla

### Policy application

This policy applies to subdivisions in the Low Density Residential Zone (LDRZ).

### Strategies

Encourage subdivision that respects the lot configuration and character elements of the surrounding area.

Maintain an open and spacious character for low density residential areas through:

- Design that provides for generous areas of open space and landscaping including along accessways.
- Retention of existing vegetation.
- Avoiding creation of lots with battleaxe access.
- The provision of wide driveways/access ways with areas available for landscaping.

Ensure adequate provision is made for infrastructure, including roads and drainage, to service the development at the time of subdivision.

## 15.01-4S Healthy neighbourhoods

02/09/2025
VC283

### 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.

Create 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.

### Policy documents

Consider as relevant:

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

## 15.01-5S Neighbourhood character

09/10/2020
VC169

### Objective

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

### Strategies

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

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

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

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

## 15.01-6S Design for rural areas

31/07/2018
VC148

### Objective

To ensure development respects valued areas of rural character.

### Strategies

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

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

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

## 15.02 [NO CONTENT]

10/06/2022
VC216

## 15.02-1S [NO CONTENT]

10/06/2022
VC216

# 15.03 HERITAGE

31/07/2018
VC148

## 15.03-1S Heritage conservation

02/09/2025
VC283

### 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.

### Policy documents

- The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance (Australia ICOMOS Incorporated, 2013).

## 15.03-1L Heritage conservation

09/07/2020
C90gpla

### Policy application

This policy applies to all applications under the Heritage Overlay (HO).

### Strategies

Discourage the demolition of significant or contributory heritage places.

Support the removal of alterations that do not contribute to the significance of a heritage place.

Support subdivision or consolidation that complements the significance of a heritage place.

Support development that responds to the historic character, form and context of the heritage place and makes a positive contribution through innovative design.

Encourage the restoration, adaptation and reconstruction of heritage places in a manner that does not detract from the significance of the heritage place.

Design development to protect the health of the mature trees in High Street, Inverleigh.

Limit the number of signs on heritage places.

Encourage signs to be designed and located so that they do not adversely affect the significance of heritage places.

### Policy guideline

Consider as relevant:

- Discouraging the use of Zincalume roofing material where this is not characteristic of the heritage place.

### Policy documents

Consider as relevant:

- *Golden Plains Heritage Study Stage 1* (Lorraine Huddle, 2004)
- *Golden Plains Heritage Study Stage 2* (Heritage Matters, 2009)

## 15.03-2S Aboriginal cultural heritage

31/07/2018
VC148

### Objective

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

### Strategies

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

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

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

### Policy guidelines

Consider as relevant:

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

### Policy documents

Consider as relevant:

- *Aboriginal Heritage Act 2006*

# 16 HOUSING

31/07/2018
VC148

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

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

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

# 16.01 RESIDENTIAL DEVELOPMENT

31/07/2018
VC148

## 16.01-1S Housing supply

02/09/2025
VC283

### Objective

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

### Strategies

Plan to accommodate housing targets specified in this clause by ensuring zones and overlays deliver sufficient realisable development capacity.

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 urban areas with good access to opportunities and servi (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)

**Table 1 - Metropolitan Melbourne Housing Targets**

| | Housing Target | Greenfield Area Target | Established Area Target |
|---|---|---|---|
| **Growth Municipalities** | | | |
| Mitchell | 66,000 | 56,000 | 10,000 |
| Cardinia | 30,000 | 21,000 | 9,000 |
| Casey | 87,000 | 58,500 | 28,500 |
| Hume | 79,000 | 53,500 | 25,500 |
| Melton | 109,000 | 104,000 | 5,000 |
| Whittlesea | 72,000 | 43,000 | 29,000 |

| | | | |
|---|---|---|---|
| Wyndham | 99,000 | 74,000 | 25,000 |
| **Inner Melbourne** | | | |
| Melbourne | 119,500 | - | 119,500 |
| Port Phillip | 55,000 | - | 55,000 |
| Stonnington | 50,000 | - | 50,000 |
| Yarra | 44,000 | - | 44,000 |
| **Middle Melbourne** | | | |
| Banyule | 45,500 | - | 45,500 |
| Bayside | 30,000 | - | 30,000 |
| Boroondara | 65,500 | - | 65,500 |
| Darebin | 69,000 | - | 69,000 |
| Glen Eira | 63,500 | - | 63,500 |
| Hobsons Bay | 22,500 | - | 22,500 |
| Kingston | 51,500 | - | 51,500 |
| Manningham | 28,500 | - | 28,500 |
| Maribyrnong | 48,000 | - | 48,000 |
| Merri-bek | 69,000 | - | 69,000 |
| Monash | 69,500 | - | 69,500 |
| Moonee Valley | 47,500 | - | 47,500 |
| Whitehorse | 76,500 | - | 76,500 |
| **Outer Melbourne** | | | |
| Brimbank | 59,500 | - | 59,500 |
| Frankston | 33,000 | - | 33,000 |
| Greater Dandenong | 52,500 | - | 52,500 |
| Knox | 43,000 | - | 43,000 |
| Maroondah | 39,500 | - | 39,500 |
| Mornington Peninsula | 24,000 | - | 24,000 |
| Nillumbik | 6,500 | - | 6,500 |
| Yarra Ranges | 25,000 | - | 25,000 |

**Table 2 - Regional Victoria Housing Targets**

| | Housing Target | Greenfield Area Target | Established Area Target |
|---|---|---|---|
| **Barwon** | | | |
| Colac Otway | 3,700 | - | 3,700 |
| Greater Geelong | 128,600 | 51,100 | 77,500 |
| Queenscliffe | 400 | - | 400 |
| Surf Coast | 8,000 | - | 8,000 |
| **Central Highlands** | | | |
| Ararat | 1,000 | - | 1,000 |
| Ballarat | 46,900 | 18,900 | 28,000 |
| Golden Plains | 12,500 | - | 12,500 |
| Hepburn | 3,150 | - | 3,150 |
| Moorabool | 20,000 | - | 20,000 |
| Pyrenees | 1,300 | - | 1,300 |
| **Gippsland** | | | |
| Bass Coast | 19,250 | - | 19,250 |
| Baw Baw | 25,700 | - | 25,700 |
| East Gippsland | 11,000 | - | 11,000 |
| Latrobe | 13,000 | - | 13,000 |
| South Gippsland | 8,000 | - | 8,000 |
| Wellington | 8,000 | - | 8,000 |
| **Goulburn** | | | |
| Greater Shepparton | 15,250 | - | 15,250 |
| Mitchell | 66,000 | 56,000 | 10,000 |
| Moria | 4,500 | - | 4,500 |
| Murrindindi | 3,350 | - | 3,350 |
| Strathbogie | 2,400 | - | 2,400 |
| **Great South Coast** | | | |
| Corangamite | 1,400 | - | 1,400 |
| Glenelg | 1,400 | - | 1,400 |
| Moyne | 2,900 | - | 2,900 |

| | | | |
|---|---|---|---|
| Southern Grampians | 1,250 | - | 1,250 |
| Warrnambool | 7,200 | - | 7,200 |
| **Loddon Campaspe** | | | |
| Campaspe | 4,500 | - | 4,500 |
| Central Goldfields | 1,700 | - | 1,700 |
| Greater Bendigo | 37,000 | 11,000 | 26,000 |
| Loddon | 550 | - | 550 |
| Macedon Ranges | 13,200 | - | 13,200 |
| Mount Alexander | 4,500 | - | 4,500 |
| **Mallee** | | | |
| Buloke | 150 | - | 150 |
| Gannawarra | 850 | - | 850 |
| Mildura | 8,500 | - | 8,500 |
| Swan Hill | 2,100 | - | 2,100 |
| **Ovens Murray** | | | |
| Alpine | 1,250 | - | 1,250 |
| Benalla | 1,700 | - | 1,700 |
| Indigo | 3,100 | - | 3,100 |
| Mansfield | 3,900 | - | 3,900 |
| Towong | 550 | - | 550 |
| Wangaratta | 6,000 | - | 6,000 |
| Wodonga | 15,200 | - | 15,200 |
| **Wimmera Southern Mallee** | | | |
| Hindmarsh | 250 | - | 250 |
| Horsham | 3,300 | - | 3,300 |
| Northern Grampians | 750 | - | 750 |
| West Wimmera | 200 | - | 200 |
| Yarriambiack | 300 | - | 300 |

## 16.01-1R Infill housing - Geelong G21

09/10/2020
VC169

### Strategy

Facilitate infill development in Central Geelong and West Fyans and around activity areas within urban Geelong and district towns.

## 16.01-1L Housing supply in Golden Plains Shire

24/06/2021
C83gpla

### Strategy

Direct residential development to township areas that have:

- Reticulated water, sewerage and stormwater drainage.
- Community services and facilities.
- Convenient access to commercial and retail centres.

### Policy guideline

Consider as relevant:

- Avoiding the creation of lot sizes under 400 square metres that are not close to commercial and retail centres and community facilities.

## 16.01-2S Housing affordability

02/09/2025
VC283

### Objective

To deliver affordable housing in areas with good access to opportunities and services.

### Strategies

Improve housing affordability by:

- Ensuring housing 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, growth areas, 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 Rural residential development

09/10/2020
VC169

### Objective

To identify land suitable for rural residential development.

### Strategies

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

## 16.01-4S Community care accommodation

04/11/2022
VC226

### Objective

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

### Strategies

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

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

## 16.01-5S Residential aged care facilities

09/10/2020
VC169

### Objective

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

### Strategies

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

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

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

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

Encourage planning for housing that:

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

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

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

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

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

### Policy guidelines

Consider as relevant:

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

# 17 ECONOMIC DEVELOPMENT

31/07/2018
VC148

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

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

## 17.01 EMPLOYMENT

31/07/2018
VC148

## 17.01-1S Diversified economy

31/07/2018
VC148

### Objective

To strengthen and diversify the economy.

### Strategies

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

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

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

## 17.01-1R Diversified economy - Central Highlands

31/07/2018
VC148

### Strategies

Support greater economic self-sufficiency for the region.

Support growth through the development of employment opportunities in towns identified for population growth.

Support the growth of key regional employment assets including the Ballarat Technology Park, Ballarat Central Business District and Ballarat West Employment Zone.

Recognise the need for new employment opportunities in Ballarat's peri-urban settlements to promote sustainable growth.

Support infrastructure investment where it will support business investment, including Stage 1 of the Ballarat Western Link Road, which will improve access to the Ballarat West Employment Zone.

## 17.01-1R Diversified economy - Geelong G21

31/07/2018
VC148

### Strategies

Build on the region's competitive strengths, including tourism and agricultural land resources and economic, social and natural assets.

Support new businesses that provide employment and innovation opportunities in identified employment nodes across the region.

Support industries that utilise skills within the region.

## 17.01-1L Diversified economy

09/07/2020
C90gpla

### Strategies

Support value adding industries and service industries, particularly those that relate to agriculture, forestry and those that service locally grown products.

## 17.01-2S Innovation and research

04/10/2018
VC149

### Objective

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

### Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

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

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

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

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

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

## 17.01-2R Innovation and Research - Geelong G21

31/07/2018
VC148

### Strategy

Support growth of education and research hubs at Waurn Ponds and Central Geelong with Deakin, CSIRO, The Gordon and Barwon Health.

# 17.02 COMMERCIAL

31/07/2018
VC148

## 17.02-1S Business

15/03/2024
VC256

### 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.

## 17.02-1L Business

09/07/2020
C90gpla

### Strategies

Direct commercial and retail use and development to town commercial and retail centres, including those in the Township Zone (TZ).

Avoid linear commercial and retail development along highways and beyond identified commercial precincts.

Support commercial and retail use and development that is consistent with the role of each township as identified in the table at Clause 02.03-7 Economic Development.

## 17.02-2S Out-of-centre development

31/07/2018
VC148

### Objective

To manage out-of-centre development.

### Strategies

Discourage proposals for expansion of single use retail, commercial and recreational facilities outside activity centres.

Give preference to locations in or on the border of an activity centre for expansion of single use retail, commercial and recreational facilities.

Discourage large sports and entertainment facilities of metropolitan, state or national significance in out-of-centre locations unless they are on the Principal Public Transport Network and in locations that are highly accessible to their catchment of users.

Ensure that out-of-centre proposals are only considered where the proposed use or development is of net benefit to the community in the region served by the proposal or provides small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

# 17.03 INDUSTRY

31/07/2018
VC148

## 17.03-1S Industrial land supply

14/01/2025
VC237

### 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)

## 17.03-1R Industrial land supply - Geelong G21

31/07/2018
VC148

### Strategy

Plan for the expansion of industrial employment areas at Colac and Winchelsea.

## 17.03-2S Sustainable industry

14/01/2025
VC237

### 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)

## 17.03-3S Significant industrial land

02/09/2025
VC283

### 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)
- *Industrial and Commercial Land Classifications* (Department of Transport and Planning, 2025)

## 17.04 TOURISM

31/07/2018
VC148

## 17.04-1S Facilitating tourism

31/07/2018
VC148

### Objective

To encourage tourism development to maximise the economic, social and cultural benefits of developing the state as a competitive domestic and international tourist destination.

### Strategies

Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.

Seek to ensure that tourism facilities have access to suitable transport.

Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

### Policy guidelines

Consider as relevant:

- Any applicable regional tourism development strategy.

### Policy documents

Consider as relevant:

- *Tourism Investment Guidelines – Your Guide to Tourism Investment in Victoria* (Tourism Victoria, 2008)

## 17.04-1L Tourism

09/07/2020
C90gpla

### Strategies

Facilitate development that supports arts and cultural activities and events.

Support the development of tourism accommodation across the Shire.

Direct the development of tourism accommodation in the Moorabool Valley to the Rural Activity Zone Schedule 1 (RAZ1).

Support tourism use and development that adds value to products grown and produced locally, such as wineries, other beverage producers and speciality food producers.

## 17.04-2S Coastal and maritime tourism and recreation

20/03/2023
VC229

### Objective

To encourage a diverse range of strategically located and well-designed coastal and maritime tourism and recreational opportunities that strengthen people's connection with the marine and coastal environment.

### Strategies

Support safe and sustainable recreation and tourism development including ecotourism, tourism and major maritime events that:

- Responds to identified demand.
- Minimises impact on environmental and cultural values.
- Minimises impact on other users.
- Minimises direct and cumulative impacts.
- Maintains public safety.
- Responds to the carrying capacity of the site.
- Minimises exposure to coastal hazard risks and risks posed by climate change.

Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.

Ensure sites and facilities are accessible to all.

Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.

Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.

Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.

Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.

Support a sustainable network of facilities for recreational boating and water-based activities that respond to:

- Identified demand.
- Use and safety considerations.
- The carrying capacity of the location.
- Coastal processes.
- Environmental values.

Strategically plan and operate ports to complement each other in the context of the broader economy, transport networks and the maritime and coastal environments within which they are regulated.

Provide public access to recreational facilities and activities on land and water.

### Policy guidelines

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)
- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*

- *Recreational Boating Facilities Framework July 2014 - Central Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

### Policy documents

Consider as relevant:

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

# 18 TRANSPORT

09/12/2021
VC204

Planning should ensure a safe, integrated and sustainable transport system that:

- Provides access to social and economic opportunities to support individual and community wellbeing.
- Facilitates economic prosperity.
- Actively contributes to environmental sustainability.
- Facilitates network-wide efficient, coordinated and reliable movements of people and goods.
- Supports health and wellbeing.

## 18.01 LAND USE AND TRANSPORT

09/12/2021
VC204

## 18.01-1S Land use and transport integration

02/09/2025
VC283

### 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 Major regional cities, Regional Cities and Regional service centres on major transport corridors to maximise the access and mobility of communities.

Design neighbourhoods to:

- Better support active living.
- Increase the share of trips made using sustainable transport modes.

- Respond to  the safety needs of all users.

Design the transport system and adjacent areas to achieve visual outcomes that are responsible to local context with particular reference to:

- Landscaping.
- The placement of signs.
- Providing buffer zones and resting places.

### Policy documents

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)
- *Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan* (Department of Economic Development, Jobs, Transport and Resources, July 2018)

## 18.01-1L Land use and transport integration

20/12/2024
C102gpla

### Strategies

Protect the efficiency and safety of the Shire's transport infrastructure to support economic activities.

Facilitate road and bridge infrastructure to service plantation and agroforestry development.

Facilitate infrastructure to service the grain industries and intensive animal husbandry operations.

## 18.01-2S Transport system

02/09/2025
VC283

### 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 Major regional cities, Regional cities, Regional service centres 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

## 18.01-2R Transport system - Central Highlands

31/07/2018
VC148

### Strategy

Support ongoing improvements to transport infrastructure to enhance access to Ballarat and other major centres.

## 18.01-2R Transport system - Geelong G21

31/07/2018
VC148

### Strategies

Support improved transit and access within Geelong and the wider region.

Support a greater connection to the Werribee growth corridor and Melbourne.

## 18.01-2L Transport system

20/12/2024
C102gpla

### Strategy

Maintain the efficiency of transport linkages from the Shire to metropolitan and regional markets, facilities and suppliers.

## 18.01-3S Sustainable and safe transport

09/12/2021
VC204

### Objective

To facilitate an environmentally sustainable transport system that is safe and supports health and wellbeing.

### Strategies

Plan and develop the transport system to:

- Maximise the efficient use of resources including infrastructure, land, services and energy.
- Prepare for and adapt to climate change impacts.
- Prioritise the use of sustainable personal transport.
- Protect, conserve and improve the natural environment by supporting forms of transport, energy use and transport technologies that have the least environmental impact.
- Avoid, minimise and offset harm to the environment by:
  - Protecting biodiversity.
  - Reducing transport-related greenhouse gas emissions.

Plan the transport system to be safe by:

- Developing safe transport infrastructure.
- Optimising accessibility, emergency access, service and amenity.
- Separating pedestrians, bicycles and motor vehicles, where practicable.
- Reducing the need for cyclists to mix with other road users.
- Supporting road users to make safe choices through design and wayfinding techniques.
- Prioritising transport safety when designing high-speed roads and intersections.

Support forms of transport and energy use that have the greatest benefit for, and least negative impact on, health and wellbeing.

Design the transport system to be accessible to all users.

Design new suburbs to respond to the safety, health and wellbeing needs of all road users.

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

### Policy documents

Consider as relevant:

- *Victorian Road Safety Strategy 2021-2030* (Department of Transport, 2021)

## 18.02 MOVEMENT NETWORKS

31/07/2018
VC148

## 18.02-1S Walking

09/12/2021
VC204

### Objective

To facilitate an efficient and safe walking network and increase the proportion of trips made by walking.

### Strategies

Plan and develop walking networks to:

- Provide pedestrian routes that are safe, direct and comfortable to use.
- Enable walking as a part of everyday life.
- Enable people to meet more of their needs locally and rely less on their cars.
- Be accessible to vehicles that use footpaths, including wheelchairs, prams and scooters.
- Accommodate emerging forms of low-emission, low-speed personal transport.

Develop principal pedestrian networks for local areas that link with the transport system.

Provide walking infrastructure in all major transport projects.

Design walking routes to be comfortable by providing shelter from the sun through canopy trees, verandahs and other structures.

Design direct, comfortable and connected walking infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

### Policy documents

Consider as relevant:

- *Guidelines for developing Principal Pedestrian Networks* (Department of Economic Development, Jobs, Transport and Resources, 2015)

## 18.02-2S Cycling

02/09/2025
VC283

### 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, Employment and Innovation Areas, major activity centres and other destinations of metropolitan or state significance.
- Facilitating safer, lower stress and more direct journeys using a combination of cycleways, cycle paths and shared streets.
- Providing the most direct route practical.
- Designing transport corridors to prioritise cycling links and cyclists.

Protect Strategic Cycling Corridors from encroachment by development and incompatible interface treatments such as cross overs.

Support increased cycling by providing:

- Cycling routes and cycling infrastructure early in new developments and in in all major transport projects.
- Cycle parking and related end of trip facilities to meet demand at education, recreation, transport, shopping, commercial, public transport interchanges and community facilities, significant trip generating developments and other major attractions.
- Facilities for cyclists, particularly storage, at public transport interchanges and rail stations.
- Vegetation to shade cycling routes.

### Policy documents

Consider as relevant:

- *Principal Bicycle Network* (VicRoads, 2012)
- *Strategic Cycling Corridors* (Department of Transport, 2021)
- *Victorian Cycling Strategy 2018-28* (Transport for Victoria)

## 18.02-3S Public transport

09/12/2021
VC204

### Objective

To facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

### Strategies

Plan and develop public transport to:

- Connect activity centres, job-rich areas and outer suburban areas.
- Enable people to not have to rely on cars for personal transport.
- Integrate bus and tram networks and stops and public transport interchanges in new development areas, including key urban renewal precincts and outer-suburban areas.
- Integrate with land use and development in outer suburban and growth areas.

Protect and develop the Principal Public Transport Network and Regional Rail Network to facilitate:

- High quality public transport services that support increased diversity and density of development, particularly at interchanges, activity centres and where Principal Public Transport Network routes intersect.
- Modern commuter-style public transport services that link Melbourne with the regional growth areas of Geelong, Bendigo, Ballarat, Seymour and Traralgon.
- Service improvements to other regional and rural areas.
- A metro-style rail system that provides a very high frequency of service in the Melbourne metropolitan area.
- A new high quality orbital rail (Suburban Rail Loop) through Melbourne's middle suburbs.
- A balance between the rail usage needs of public transport and freight.

Facilitate public transport infrastructure in all major transport projects.

Allocate adequate land and infrastructure to support public transport provision in activity centres, transport interchanges and major commercial, retail and community facilities.

Locate higher density and increased development on or close to the Principal Public Transport Network in a way that does not compromise the efficiency of the Principal Public Transport Network.

Support development that facilitates the delivery and operation of public transport services.

### Policy documents

Consider as relevant:

- *Principal Public Transport Network* (State Government of Victoria, 2017)
- *VicTrack Rail Development Interface Guidelines* (VicTrack, 2019)
- *Public Transport Guidelines for Land Use Development* (Department of Transport, 2008)

## 18.02-4S Roads

02/09/2025
VC283

### 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 Employment and Innovation Areas.
- 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 Roads

20/12/2024
C102gpla

### Strategy

Protect existing road and parking infrastructure from the impacts of heavy vehicles associated with new use and development.

## 18.02-5S Freight

09/12/2021
VC204

### Objective

To facilitate an efficient, coordinated, safe and sustainable freight and logistics system that enhances Victoria's economic prosperity and liveability.

### Strategies

Plan and develop Victoria's freight and logistics system to:

- Support the movement of freight within Victoria's freight and logistics system.
- Improve freight efficiency and capacity.
- Manage negative impacts of freight generating activities on urban amenity, the development of urban areas, and on the efficient operation of movement networks.
- Prioritise new technologies that enhance road and rail safety, optimise the metropolitan road network, better manage congestion and reduce supply chain costs.
- Accommodate High Productivity Freight Vehicles, and oversize and overmass vehicles.
- Increase the capacity of the rail network to carry larger volumes of freight.

Protect and develop the Principal Freight Network, including freight movement corridors and freight places, and Principal Transport Gateways, by:

- Facilitating the movement of high volumes of freight and freight of strategic value.
- Linking areas of production and manufacturing to national and international gateways and export markets.
- Increasing the capacity of Principal Transport Gateways and supporting their use and development as important locations for employment and economic activity.
- Designing the Principal Freight Network to adapt to commodity, market and operating changes.
- Managing encroachment from incompatible land use and development that would undermine its ability to operate.

Support the development of freight and logistics precincts in strategic locations within and adjacent to Principal Transport Gateways and along the Principal Freight Network movement corridors by:

- Allocating land for complementary uses and employment-generating activities, such as distribution and warehousing.
- Reserving and appropriately zoning land for interstate freight terminals to support development that allows for the direct and immediate delivery of goods to market.
- Allocating land to allow high-volume freight customers to locate adjacent to interstate freight terminals, including the Western Interstate Freight Terminal and the Beveridge Interstate Freight Terminal.

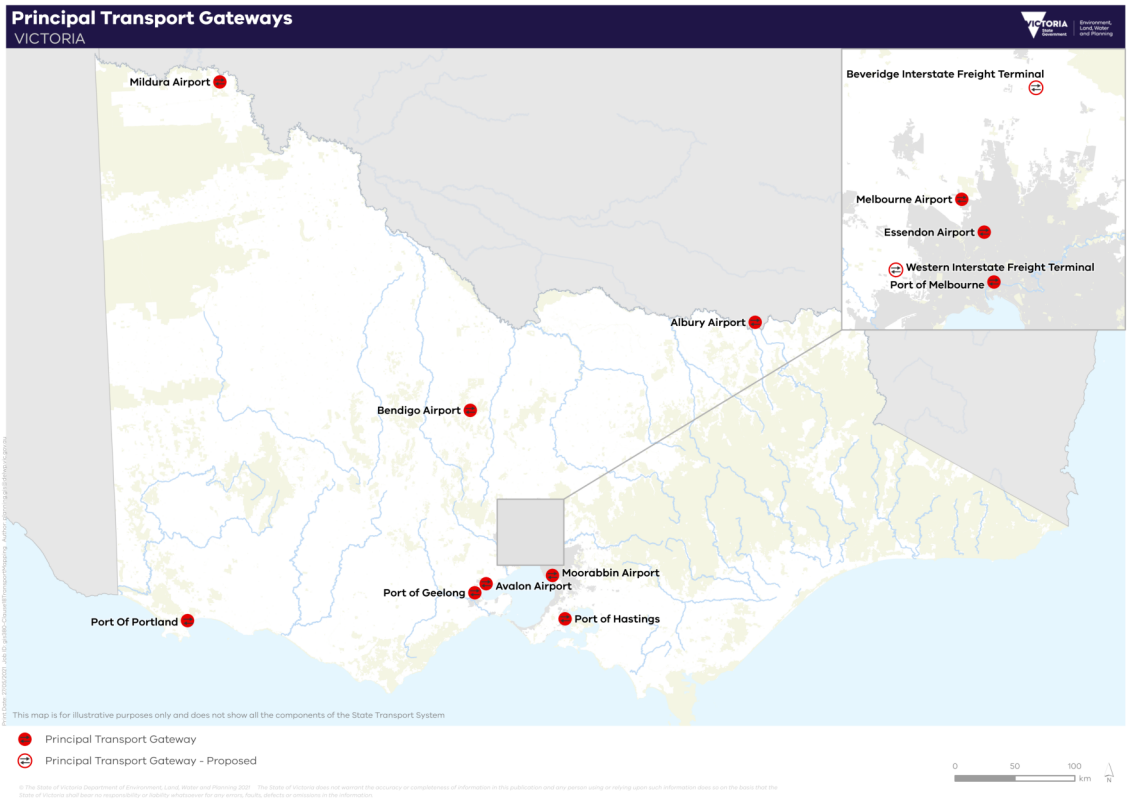
### Policy documents

Consider as relevant:

- *Principal Freight Network* (Department of Transport, 2021)

- *Principal Transport Gateways* (Department of Transport, 2021)
- *Delivering the Goods, Creating Victorian Jobs: Victorian Freight Plan* (Department of Economic Development, Jobs, Transport and Resources, July 2018)

## Principal Transport Gateways



## 18.02-5R Freight links - Geelong G21

09/12/2021
VC204

### Strategy

Recognise and develop a national transport and logistics precinct to the north of Geelong, connecting Avalon Airport, Geelong Port and the Geelong Ring Road Employment Precinct.

## 18.02-6S Ports

09/12/2021
VC204

### Planning for ports objective

To support the effective and competitive operation of Victoria's commercial trading ports at local, national and international levels, and to facilitate their ongoing sustainable operation and development.

### Planning for ports strategies

Provide for the ongoing development of ports at Melbourne, Geelong, Hastings and Portland in accordance with approved Port Development Strategies.

Identify and protect key transport corridors linking ports to the broader transport network.

Manage any impacts of a commercial trading port and any related industrial development on nearby sensitive uses to minimise the impact of vibration, light spill, noise and air emissions from port activities.

### Planning for port environs objective

To plan for and manage land near commercial trading ports so that development and use are compatible with port operations and provide reasonable amenity expectations.

### Planning for port environs strategies

Protect commercial trading ports from encroachment of sensitive and incompatible land uses in the port environs.

Plan for and manage land in the port environs to accommodate uses that depend upon, or gain significant economic advantage from, proximity to the port's operations.

Ensure that industrially zoned land within the environs of a commercial trading port is maintained and continues to support the role of the port as a critical freight and logistics precinct.

Identify and protect key transport corridors linking ports to the broader transport network.

Ensure any new use or development within the environs of a commercial trading port does not prejudice the efficient and curfew-free operations of the port.

Ensure that the use and intensity of development does not expose people to unacceptable health or safety risks and consequences associated with an existing major hazard facility.

Ensure that any use or development within port environs:

- Is consistent with policies for the protection of the environment.
- Takes into account planning for the port.

### Policy documents

Consider as relevant:

- *Statement of Planning Policy No 1 - Western Port* (1970-varied 1976)
- *2018 Port Development Strategy* (Port of Hastings Development Authority, December 2018)
- *Port of Geelong Port Development Strategy 2018* (Victorian Regional Channels Authority, 2018)
- *2050 Port Development Strategy, 2020 edition* (Port of Melbourne, 2020)
- *Port of Portland – Port Development Strategy* (Port of Portland, 2019)

## 18.02-7S Airports and airfields

18/05/2022
VC218

### Objective

To strengthen the role of Victoria's airports and airfields within the state's economic and transport infrastructure, guide their siting and expansion, and safeguard their ongoing, safe and efficient operation.

### Strategies

Protect airports and airfields from incompatible land use and development.

Prevent land use or development that poses risks to the safety or efficiency of an airport or airfield, including any of the following risks:

- Building-generated windshear and turbulence.
- Increased risk of wildlife strike.
- Pilot distraction from lighting.
- Intrusion into protected airspace.
- Interference with communication, navigation and surveillance facilities.
- Increased risk to public safety at the end of runways.

Minimise the detrimental effects of aircraft noise when planning for areas around airports and airfields.

Limit the intensification of noise-sensitive land uses, and avoid zoning or overlay changes that allow noise-sensitive land use and development, where ultimate capacity or long-range noise modelling indicates an area is within a 20 Australian Noise Exposure Forecast (ANEF) contour or higher.

Avoid zoning or overlay changes that allow noise-sensitive land uses outside the Urban Growth Boundary, and encourage measures to reduce the impact of aircraft noise in planning for areas within the Urban Growth Boundary, where ultimate capacity or long-range noise modelling indicates an area is within 'number above' contours (N Contours) representing:

- 20 or more daily events greater than 70 dB(A).
- 50 or more daily events of greater than 65 dB(A).
- 100 or more daily events greater than 60 dB(A).
- 6 events or more between the hours of 11pm to 6am greater than 60 dB(A).

Ensure land use and development at airports and airfields contributes to the aviation needs of the state and the efficient and functional operation of the airport or airfield.

Ensure land use and development at airports complements the role of the airport including as listed below:

- Melbourne Airport – major domestic and international airport with no curfew, 24-hour access, freight capability and an adjoining employment precinct.
- Avalon Airport – domestic and international airport with no curfew, 24-hour access, freight capability and an adjoining employment precinct.
- Essendon Fields Airport – a general aviation airport that is an important regional and state aviation asset with specialised functions, including executive charter, emergency aviation services, freight, logistics and an adjoining employment precinct.

- Moorabbin Airport – a general aviation airport that is an important regional and state aviation asset supporting the state's aviation industry and access to regional Victoria.
- Point Cook Airfield – an operating airport complementary to Moorabbin Airport.

Plan for areas around airports and airfields so that land use or development does not prejudice future airport or airfield operations or expansions in accordance with an approved strategy or master plan for that airport or airfield.

Preserve long-term options for a new general aviation airport south-east of metropolitan Melbourne by ensuring urban land use and development does not infringe on possible sites, buffer zones or flight paths.

Avoid the location of new airports and airfields in areas that have greater long-term value to the community for other purposes.

Ensure that in the planning of airports and airfields, land use decisions are integrated, appropriate land use buffers are in place and provision is made for associated businesses that service airports.

Plan the location of airports and airfields, nearby existing and potential development, and the land-based transport system required to serve them, as an integrated operation.

Plan the visual amenity and impact of any land use or development on the approaches to an airport or airfield to be consistent with the status of the airport or airfield.

### Policy documents

Consider as relevant:

- *National Airports Safeguarding Framework* (as agreed by Commonwealth, State and Territory Ministers at the meeting of the Standing Council on Transport and Infrastructure on 18 May 2012)
- *Avalon Airport Master Plan* (Avalon Airport Australia Pty Ltd, 2015)
- *Avalon Airport Strategy* (Department of Business and Employment/Aerospace Technologies of Australia, 1993) and its associated Aircraft Noise Exposure Concepts
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*

# 19 INFRASTRUCTURE

10/06/2022
VC216

Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

Planning is to recognise social needs by providing land for a range of accessible community resources, such as education, cultural, health and community support (mental health, aged care, disability, youth and family services) facilities.

Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes.

Planning should facilitate efficient use of existing infrastructure and human services. Providers of infrastructure, whether public or private bodies, are to be guided by planning policies and should assist strategic land use planning.

Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance, including communication networks and energy generation and distribution systems.

Infrastructure planning should avoid, minimise and offset environmental impacts, and incorporate resilience to natural hazards, including future climate change risks.

Planning authorities should consider the use of development and infrastructure contributions in the funding of infrastructure.

## 19.01 ENERGY

31/07/2018
VC148

## 19.01-1S Energy supply

05/09/2025
VC268

### 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, including in any renewable energy zones declared under section 63 of the *National Electricity (Victoria) Act 2005*.

Support energy infrastructure projects in locations that take advantage of existing and planned 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 Action Act 2017*.
- Interim emissions reduction targets determined under Division 2 of Part 2 of the *Climate Action Act 2017*.
- Adaptation action plans prepared under Division 2 of Part 5 of the *Climate Action Act 2017*.

### Policy documents

Consider as relevant:

- *2025 Victorian Transmission Plan* (VicGrid, 2025)

## 19.01-2S Renewable energy

05/09/2025
VC268

### 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, including in any renewable energy zones declared under section 63 of the *National Electricity (Victoria) Act 2005*.

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)
- *2025 Victorian Transmission Plan* (VicGrid, 2025)

## 19.01-3S Pipeline infrastructure

31/07/2018
VC148

### Objective

To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.

### Strategies

Plan for the development of pipeline infrastructure subject to the *Pipelines Act 2005*.

Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

Plan new pipelines along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.

Provide for environmental management during construction and on-going operation of pipeline easements.

## 19.02 COMMUNITY INFRASTRUCTURE

31/07/2018
VC148

## 19.02-1S Health facilities

31/07/2018
VC148

### Objective

To assist the integration of health facilities with local and regional communities.

### Strategies

Facilitate the location of health and health-related facilities (including acute health, aged care, disability services and community care facilities) taking into account demographic trends, the existing and future demand requirements and the integration of services into communities.

Plan public and private developments together, where possible, including some degree of flexibility in use.

Locate hospitals and other large health facilities in designated health precincts and areas highly accessible to public and private transport.

Provide adequate car parking for staff and visitors of health facilities.

## 19.02-2S Education facilities

29/09/2022
VC222

### Objective

To assist the integration of education and early childhood facilities with local and regional communities.

### Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

Co-locate a kindergarten facility with all new Victorian Government primary schools.

## 19.02-2R Education precincts - Geelong G21

31/07/2018
VC148

### Strategy

Support education hubs at Waurn Ponds and Central Geelong with Deakin and The Gordon.

## 19.02-3S Cultural facilities

31/07/2018
VC148

### Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

### Strategies

Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.

## 19.02-4S Social and cultural infrastructure

31/07/2018
VC148

### Objective

To provide fairer distribution of and access to, social and cultural infrastructure.

### Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

## 19.02-4L Co-locating community facilities

09/07/2020
C90gpla

### Strategies

Support co-location of complementary community facilities.

## 19.02-5S Emergency services

31/07/2018
VC148

### Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

### Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

## 19.02-6S Open space

31/07/2018
VC148

### Objective

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

### Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

# 19.03 DEVELOPMENT INFRASTRUCTURE

31/07/2018
VC148

## 19.03-1S Development and infrastructure contributions plans

24/01/2020
VC160

### Objective

To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.

### Strategies

Prepare development contributions plans and infrastructure contributions plans, under the *Planning and Environment Act 1987*, to manage contributions towards infrastructure.

Collect development contributions on the basis of approved development and infrastructure contributions plans.

Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

### Policy documents

Consider as relevant:

- *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 -as amended 2007)
- *Infrastructure Contributions Plan Guidelines* (Department of Environment, Land, Water and Planning, November 2019)
- *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans*
- *Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans*

## 19.03-2S Infrastructure design and provision

09/10/2020
VC169

### Objective

To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

### Strategies

Provide an integrated approach to the planning and engineering design of new subdivision and development.

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

## 19.03-2L Infrastructure design and provision

20/12/2024
C102gpla

### Strategy

Provide a consistent approach to the design and construction of infrastructure across the municipality.

### Policy guideline

Consider as relevant:

- *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2022) for new subdivision and development.

### Policy documents

Consider as relevant:

- *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2022)

## 19.03-3S Integrated water management

22/11/2024
VC263

### 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)

## 19.03-3L Dam management

20/12/2024
C102gpla

### Strategies

Locate and design dams to minimise alterations to natural drainage and natural flows of watercourses and to be consistent with land capability.

Ensure dams are built using construction and soil conservation techniques that avoid leakage to groundwater.

## 19.03-4S Telecommunications

04/11/2022
VC226

### Objective

To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.

### Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.

Encourage the continued deployment of telecommunications facilities that are easily accessible by:

- Increasing and improving access for all sectors of the community to the telecommunications network.
- Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Co-locate telecommunications facilities wherever practical.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

## 19.03-5S Waste and resource recovery

02/09/2025
VC283

### 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*)*

## 30 ZONES

19/01/2006
VC37

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

## 31 [NO CONTENT]

31/07/2018
VC148

# 32 RESIDENTIAL ZONES

19/01/2006
VC37

# 32.03 LOW DENSITY RESIDENTIAL ZONE

31/07/2018
VC148

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

## Purpose

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

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

## 32.03-1 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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.<br>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)** | Must be the only dwelling on the lot.<br>Must meet the requirements of Clause 32.03-2. |
| **Home based business** | |
| **Informal outdoor recreation** | |
| **Medical centre** | The gross floor area of all buildings must not exceed 250 square metres.<br>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** | |
| **Small second dwelling** | Must be no more than one dwelling existing on the lot.<br>Must be the only small second dwelling on the lot.<br>Must meet the requirements of Clause 32.03-2.<br>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 and Small second dwelling)** | |
| **Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)** | |
| **Car park** | Must be used in conjunction with another use in Section 1 or 2. |
| **Car wash** | The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. |
| **Convenience restaurant** | The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. |
| **Convenience shop** | |
| **Domestic animal boarding** | |
| **Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met** | Must be no more than 5 animals. |
| **Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met** | Must result in no more than two dwellings on the lot.<br>Must meet the requirements of Clause 32.03-2. |
| **Food and drink premises (other than Convenience restaurant)** | |
| **Grazing animal production** | |
| **Leisure and recreation (other than Informal outdoor recreation and Motor racing track)** | |
| **Market** | |
| **Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)** | |
| **Plant nursery** | |
| **Service station** | The site must either:<br>▪ Adjoin a commercial zone or industrial zone.<br>▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br>The site must not exceed either: |

| Use | Condition |
|---|---|
| | ▪ 3000 square metres.<br>▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3. |
| **Store** | Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |
| **Any other use not in Section 1 or 3** | |

### Section 3 – Prohibited

| Use |
|---|
| **Amusement parlour** |
| **Animal production (other than Grazing animal production)** |
| **Cinema based entertainment facility** |
| **Extractive industry** |
| **Industry (other than Automated collection point and Car wash)** |
| **Motor racing track** |
| **Nightclub** |
| **Office (other than Medical centre)** |
| **Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)** |
| **Saleyard** |
| **Small second dwelling - if the Section 1 condition is not met** |
| **Transport terminal** |
| **Warehouse (other than Store)** |

## 32.03-2 Use for one or two dwellings, or a small second dwelling

14/12/2023
VC253

A lot used for one or two dwellings or a small second dwelling must meet the following requirements:

- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.

- Each dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity.
- Each dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy supply.

## 32.03-3 Subdivision

14/12/2023
VC253

### Permit requirement

A permit is required to subdivide land.

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

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

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

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

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:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ The general direction of the common boundary does not change. | Clause 59.01 |

## 32.03-4 Buildings and works

08/09/2025
VC282

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

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

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Provision |
|---|---|
| Construct a building or construct or carry out works where:<br>▪ 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<br>▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and<br>▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:<br>– clause 54.02-3 Side and rear setbacks.<br>– clause 54.02-4 Walls on boundaries.<br>– clause 54.04-1 Daylight to existing windows.<br>– clause 54.04-2 Existing north-facing windows.<br>– clause 54.04-3 Overshadowing secluded open space.<br>– clause 54.04-4 Overlooking.<br>– clause 54.05-2 Overshadowing domestic solar energy systems.<br>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 |

### Transitional provisions

Clauses 32.03-4, 54 and 59.04 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.03-5 Application requirements

01/07/2021
VC203

### Subdivision

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

- In the absence of reticulated sewerage, include a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- Show for each lot:
  - A building envelope and driveway to the envelope.
  - Existing vegetation.
  - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

## 32.03-6 Decision guidelines

01/01/2024
VC250

### General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

### Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.
- In the absence of reticulated sewerage:
  - The capability and suitability of the lot to treat and retain all wastewater as determined by a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed, or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
  - The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.
- The relevant standards of Clauses 56.07-1 to 56.07-4.

## 32.03-7 Signs

31/07/2018
VC148

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

23/04/2021
C87gpla

# SCHEDULE 1 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ1.**

## 1.0 Subdivision requirements

23/04/2021
C87gpla

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

## 2.0 Outbuilding permit requirements

08/09/2022
C99gpla

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

25/11/2022
C91gpla

# SCHEDULE 2 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ 2.**

## 1.0 Subdivision requirements

25/11/2022
C91gpla

| | Land | Area (hectares) |
|---|---|---|
| Minimum subdivision area (hectares) | Woodland and Forest Glades Estates, Enfield | No further subdivision permitted |
| Maximum number of dwellings per lot | Woodlands and Forest Glades Estates, Enfield | 1 dwelling |

## 2.0 Outbuilding permit requirements

20/12/2024
C102gpla

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

## 32.05 TOWNSHIP ZONE

31/03/2025
VC267

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

### Purpose

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

To provide for residential development and a range of commercial, industrial and other uses in small towns.

To encourage development that is responsive to the neighbourhood character of the area.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

## 32.05-1 Neighbourhood character objectives

27/03/2017
VC110

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

## 32.05-2 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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.<br>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** | Must be no more than 2 animals. |
| **Dwelling (other than Bed and breakfast)** | Must meet the requirements of Clause 32.05-3. |
| **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. |
| **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. |

| Use | Condition |
|---|---|
| **Small second dwelling** | Must be no more than one dwelling existing on the lot.<br>Must be the only small second dwelling on the lot.<br>Must meet the requirements of Clause 32.05-3.<br>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)** | |
| **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 Transfer station and Refuse disposal)** | Must not be a purpose listed in the table to Clause 53.10. |
| **Leisure and recreation (other than Informal outdoor recreation and Motor racing track)** | |
| **Office (other than Medical centre)** | |
| **Place of assembly (other than Carnival, Circus and Place of worship)** | |
| **Retail premises (other than Adult sex product shop)** | |
| **Transfer station (other than Automated collection point)** | Must meet the threshold distance requirements in the table to Clause 53.10. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | Must not be a purpose listed in the table to Clause 53.10. |
| **Warehouse** | Must not be a purpose listed in the table to Clause 53.10. |
| **Any other use not in Section 1 or 3** | |

### Section 3 - Prohibited

| Use |
|---|
| Adult sex product shop |
| Animal production (other than Grazing animal production) |
| Dwelling – if the Section 1 condition is not met |
| Extractive industry |
| Motor racing track |
| Refuse disposal |
| Saleyard |
| Small second dwelling – if the Section 1 condition is not met |

## 32.05-3 Use for a dwelling or a small second dwelling

14/12/2023
VC253

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

- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- Each dwelling or small second dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity.
- Each dwelling or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy supply.

## 32.05-4 Use for industry and warehouse

27/03/2017
VC110

### Amenity of the neighbourhood

The use of land for an industry 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.

## 32.05-5 Subdivision

16/10/2025
VC288

### Permit requirement

A permit is required to subdivide land.

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

### Clause 56 requirement

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 |
|---|---|
| 16 or more lots | Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4. |
| 3 – 15 lots | Clauses 56.03-5 (only if the land is in the Neighbourhood Character Overlay), 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4. |
| 2 lots | Clauses 56.03-5 (only if the land is in the Neighbourhood Character Overlay), 56.04-2, 56.04-5, 56.06-8 and 56.07-4. |

Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- In the absence of reticulated sewerage, include a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the Environment Protection Regulations under the *Environment Protection Act 2017*.
- A plan which shows a building envelope and effluent disposal area for each lot.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Provision |
|---|---|
| Subdivide land to realign the common boundary between two lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. | Clause 59.02 |
| Subdivide land into two lots if:<br>▪ The construction of a building or the construction or carrying out of works on the land: | Clause 59.02 |

| Class of application | Provision |
|---|---|
| – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | |
| Subdivide land into two lots if:<br>▪ A permit has been issued under a provision of a residential zone to construct up to two dwellings on the land and the permit has not expired.<br>▪ Each lot will contain either:<br>– one existing dwelling; or<br>– one dwelling permitted to be constructed in accordance with the permit. | Clause 59.02 |
| Subdivide land into two lots for residential development if:<br>▪ The subdivision creates at least one vacant lot.<br>▪ The land does not contain native vegetation if it has an area of 0.4 hectares or more.<br>▪ The land is not located in an Environmental Audit Overlay, Neighbourhood Character Overlay or an area that is a designated bushfire prone area as determined under section 192A of the *Building Act 1993*.<br>▪ The land is connected to reticulated sewerage. | Clause 59.11 |

## 32.05-6 Construction and extension of one dwelling on a lot

08/09/2025
VC282

### 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 54.02-7.

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 | Provision |
|---|---|
| Construct or extend a dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54:<br>▪ clause 54.02-1 Street setback.<br>▪ clause 54.02-2 Building height.<br>▪ clause 54.02-3 Side and rear setbacks.<br>▪ clause 54.02-4 Walls on boundaries.<br>▪ clause 54.02-5 Site coverage<br>▪ clause 54.02-6 Tree canopy.<br>▪ clause 54.02-7 Front fences.<br>▪ clause 54.04-1 Daylight to existing windows.<br>▪ clause 54.04-2 Existing north-facing windows.<br>▪ clause 54.04-3 Overshadowing secluded open space.<br>▪ clause 54.04-4 Overlooking.<br>▪ clause 54.05-2 Overshadowing domestic solar energy systems.<br>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 54 |
| 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 |

### Transitional provisions

Clauses 32.05-6, 54 and 59.14 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.05-7 Construction and extension of a small second dwelling on a lot

08/09/2025
VC282

### Permit requirement

A permit is required to construct a building, construct or carry out works for 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 | Provision |
|---|---|
| Construct or extend a small second dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54: | Clause 54 |

| Class of application | Provision |
|---|---|
| ▪ clause 54.02-1 Street setback.<br>▪ clause 54.02-2 Building height.<br>▪ clause 54.02-3 Side and rear setbacks.<br>▪ clause 54.02-4 Walls on boundaries.<br>▪ clause 54.02-5 Site coverage.<br>▪ clause 54.02-6 Tree canopy.<br>▪ clause 54.02-8 Building setback for small second dwellings.<br>▪ clause 54.03-5 Safety and accessibility for small second dwellings.<br>▪ clause 54.04-1 Daylight to existing windows.<br>▪ clause 54.04-2 Existing north-facing windows.<br>▪ clause 54.04-3 Overshadowing secluded open space.<br>▪ clause 54.04-4 Overlooking.<br>▪ clause 54.05-2 Overshadowing domestic solar energy systems.<br>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. | |

### Transitional provisions

Clauses 32.05-7, 54 and 59.14 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.05-8 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

16/10/2025
VC288

### 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 | Provision |
|---|---|
| Construct one dwelling if there is no more than one dwelling existing on a lot, extend a dwelling if there are two dwellings on a lot, or construct two dwellings on a lot, if the development meets the following standards of clause 55:<br>▪ clause 55.02-1 Street setback<br>▪ clause 55.02-2 Building height<br>▪ clause 55.02-3 Side and rear setbacks<br>▪ clause 55.02-4 Walls on boundaries<br>▪ clause 55.02-5 Site coverage<br>▪ clause 55.02-6 Access<br>▪ clause 55.02-7 Tree canopy<br>▪ clause 55.02-8 Front fences<br>▪ clause 55.04-1 Daylight to existing windows<br>▪ clause 55.04-2 Existing north-facing windows<br>▪ clause 55.04-3 Overshadowing secluded open space<br>▪ clause 55.04-4 Overlooking<br>▪ clause 55.05-2 Overshadowing domestic solar energy systems<br>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the clause 55 standard, the requirement in the schedule to the zone applies and must be met. | Clause 55 |
| Construct or extend a front fence within 3 metres of a street if the fence is associated with two 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.

## 32.05-9 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

A schedule to this zone may specify the requirements of:

- Standards A2-1, A2-5, A2-7 and A3-2 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.

## 32.05-10 Residential aged care facility

01/01/2024
VC250

### 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.

## 32.05-11 Buildings and works associated with a Section 2 use

08/09/2025
VC282

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.05-2.

### 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 | Provision |
|---|---|
| Construct a building or construct or carry out works where:<br>▪ 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<br>▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and<br>▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:<br>– clause 54.02-3 Side and rear setbacks.<br>– clause 54.02-4 Walls on boundaries.<br>– clause 54.04-1 Daylight to existing windows.<br>– clause 54.04-2 Existing north-facing windows. | Clause 59.04 |

| Class of application | Provision |
|---|---|
| – clause 54.04-3 Overshadowing secluded open space.<br>– clause 54.04-4 Overlooking.<br>– clause 54.05-2 Overshadowing domestic solar energy systems<br>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. | |

**Transitional provisions**

Clauses 32.05-11, 54 and 59.04 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.05-12 Maximum building height requirement for a dwelling, small second dwelling or residential building

14/12/2023
VC253

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 requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

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 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.

## 32.05-13 Application requirements

14/01/2025
VC237

### 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 despatch of materials and goods).
- Any other application requirements specified in a schedule to this zone.

## 32.05-14 Exemption from review

08/09/2025
VC282

### Construction and extension of one dwelling on a lot

An application under clause 32.05-6 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 clauses 54.02-1, 54.02-2, 54.02-3, 54.02-4, 54.02-5, 54.02-6, 54.02-7, 54.04 and 54.05-2 are met.

### Construction and extension of a small second dwelling on a lot

An application under clause 32.05-7 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 clauses 54.02-1, 54.02-2, 54.02-3, 54.02-4, 54.02-5, 54.02-6, 54.02-8, 54.03-5, 54.04 and 54.05-2 are met.

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

An application under clause 32.05-8 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.

## 32.05-15 Decision guidelines

31/03/2025
VC267

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:

### General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.
- The availability and provision of utility services, including sewerage, water, drainage, electricity and telecommunications.

- 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*.
- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.
- The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.
- Provision of car and bicycle parking and loading bay facilities and landscaping.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- 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.
- Any other decision guidelines specified in a schedule to this zone.

**Use for industry and warehouse**

Before deciding on an application to use land for an industry or warehouse, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that 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.
- Any other decision guidelines specified in a schedule to this zone.

**Subdivision**

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 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.
- Any other decision guidelines specified in a schedule to this zone.

**Construction and extension of one dwelling on a lot and a small second dwelling**

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 applicable objectives, standards and decision guidelines of Clause 54.
- Any other decision guidelines specified in a schedule to this zone.

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

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 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.
- Any other decision guidelines specified in a schedule to this zone.

## 32.05-16 Signs

31/03/2025
VC267

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

24/06/2021
C83gpla

# SCHEDULE TO CLAUSE 32.05 TOWNSHIP ZONE

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

**GOLDEN PLAINS TOWNSHIPS**

## 1.0 Neighbourhood character objectives

24/06/2021
C83gpla

None specified.

## 2.0 Clause 54 and Clause 55 requirements

08/09/2025
VC282

| | Standard | Requirement |
|---|---|---|
| **Minimum street setback** | A2-1 | None specified |
| | B2-1 | None specified |
| **Site coverage** | A2-5 | None specified |
| | B2-5 | None specified |
| **Private open space** | A3-2 | None specified |
| | B3-5 | None specified |
| **Front fence height** | A2-7 and B2-8 | None specified |

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

26/04/2024
VC252

None specified.

## 4.0 Application requirements

26/04/2024
VC252

None specified.

## 5.0 Decision guidelines

26/04/2024
VC252

None specified.

# 32.08 GENERAL RESIDENTIAL ZONE

31/03/2025
VC267

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.

## 32.08-1 Neighbourhood character objectives

27/03/2017
VC110

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

## 32.08-2 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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.<br>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.<br>Must not require a permit under Clause 52.06-3.<br>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. |
| **Place of worship** | The gross floor area of all buildings must not exceed 250 square metres. |

| Use | Condition |
|---|---|
| | The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. |
| **Racing dog husbandry** | Must be no more than 2 animals. |
| **Railway** | |
| **Residential aged care facility** | |
| **Rooming house** | Must meet the requirements of Clause 52.23-2. |
| **Small second dwelling** | Must be no more than one dwelling existing on the lot.<br>Must be the only small second dwelling on the lot.<br>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** | |

| 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:<br>▪ Adjoin a commercial zone or industrial zone.<br>▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br>The site must not exceed either:<br>▪ 3000 square metres.<br>▪ 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 Subdivision

16/10/2025
VC288

### Permit requirement

A permit is required to subdivide land.

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

### Minimum garden area requirement

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.

### Clause 56 requirement

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, 56.03-5 (unless the land is in the Neighbourhood Character Overlay), 56.05-2, 56.06-1, 56.06-3 and 56.06-6. |
| 2 lots | Clauses 56.03-5 (only if the land is in the Neighbourhood Character Overlay), 56.04-2, 56.04-5, 56.06-8 and 56.07-4. |

### 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 | Provision |
|---|---|
| Subdivide land to realign the common boundary between two lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. | Clause 59.02 |
| Subdivide land into two lots if:<br>▪ The construction of a building or the construction or carrying out of works on the land:<br>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | Clause 59.02 |
| Subdivide land into two lots if:<br>▪ A permit has been issued under a provision of a residential zone to construct up to two dwellings on the land and the permit has not expired.<br>▪ Each lot will contain either:<br>– one existing dwelling; or<br>– one dwelling permitted to be constructed in accordance with the permit. | Clause 59.02 |
| Subdivide land into two lots for residential development if:<br>▪ The subdivision creates at least one vacant lot.<br>▪ The land does not contain native vegetation if it has an area of 0.4 hectares or more.<br>▪ The land is not located in an Environmental Audit Overlay, Neighbourhood Character Overlay or an area that is a designated bushfire prone area as determined under section 192A of the *Building Act 1993*. | Clause 59.11 |

## 32.08-4 Construction or extension of a dwelling, small second dwelling or residential building

14/12/2023
VC253

### 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 Construction and extension of one dwelling on a lot

08/09/2025
VC282

### 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 54.02-7.

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 | Provision |
|---|---|
| Construct or extend a dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54:<br>- clause 54.02-1 Street setback.<br>- clause 54.02-2 Building height. | Clause 54 |

| Class of application | Provision |
|---|---|
| ▪ clause 54.02-3 Side and rear setbacks.<br>▪ clause 54.02-4 Walls on boundaries.<br>▪ clause 54.02-5 Site coverage<br>▪ clause 54.02-6 Tree canopy.<br>▪ clause 54.02-7 Front fences.<br>▪ clause 54.04-1 Daylight to existing windows.<br>▪ clause 54.04-2 Existing north-facing windows.<br>▪ clause 54.04-3 Overshadowing secluded open space.<br>▪ clause 54.04-4 Overlooking.<br>▪ clause 54.05-2 Overshadowing domestic solar energy systems.<br>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 |

### Transitional provisions

Clauses 32.08-5, 54 and 59.14 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.08-6 Construction and extension of a small second dwelling on a lot

08/09/2025
VC282

### 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 | Provision |
|---|---|
| Construct or extend a small second dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54:<br>▪ clause 54.02-1 Street setback.<br>▪ clause 54.02-2 Building height.<br>▪ clause 54.02-3 Side and rear setbacks.<br>▪ clause 54.02-4 Walls on boundaries. | Clause 54 |

| Class of application | Provision |
|---|---|
| ▪ clause 54.02-5 Site coverage.<br>▪ clause 54.02-6 Tree canopy.<br>▪ clause 54.02-8 Building setback for small second dwellings.<br>▪ clause 54.03-5 Safety and accessibility for small second dwellings.<br>▪ clause 54.04-1 Daylight to existing windows.<br>▪ clause 54.04-2 Existing north-facing windows.<br>▪ clause 54.04-3 Overshadowing secluded open space.<br>▪ clause 54.04-4 Overlooking.<br>▪ clause 54.05-2 Overshadowing domestic solar energy systems.<br>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. | |

**Transitional provisions**

Clauses 32.08-6, 54 and 59.14 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

16/10/2025
VC288

**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 | Provision |
|---|---|
| Construct one dwelling if there is no more than one dwelling existing on a lot, extend a dwelling if there are two dwellings on a lot, or construct two dwellings on a lot, if the development meets the following standards of clause 55:<br>▪ clause 55.02-1 Street setback<br>▪ clause 55.02-2 Building height<br>▪ clause 55.02-3 Side and rear setbacks<br>▪ clause 55.02-4 Walls on boundaries<br>▪ clause 55.02-5 Site coverage<br>▪ clause 55.02-6 Access<br>▪ clause 55.02-7 Tree canopy<br>▪ clause 55.02-8 Front fences<br>▪ clause 55.04-1 Daylight to existing windows<br>▪ clause 55.04-2 Existing north-facing windows<br>▪ clause 55.04-3 Overshadowing secluded open space<br>▪ clause 55.04-4 Overlooking<br>▪ clause 55.05-2 Overshadowing domestic solar energy systems<br>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the clause 55 standard, the requirement in the schedule to the zone applies and must be met. | Clause 55 |
| Construct or extend a front fence within 3 metres of a street if the fence is associated with two 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 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

A schedule to this zone may specify the requirements of:

- Standards A2-1, A2-5, A2-7 and A3-2 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 Residential aged care facility

14/12/2023
VC253

### 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 Buildings and works associated with a Section 2 use

08/09/2025
VC282

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 | Provision |
|---|---|
| Construct a building or construct or carry out works where:<br>▪ 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<br>▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and<br>▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:<br>– clause 54.02-3 Side and rear setbacks.<br>– clause 54.02-4 Walls on boundaries.<br>– clause 54.04-1 Daylight to existing windows.<br>– clause 54.04-2 Existing north-facing windows.<br>– clause 54.04-3 Overshadowing secluded open space.<br>– clause 54.04-4 Overlooking.<br>– clause 54.05-2 Overshadowing domestic solar energy systems. | Clause 59.04 |

| Class of application | Provision |
|---|---|
| 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. | |

### Transitional provisions

Clauses 32.08-10, 54 and 59.04 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

14/12/2023
VC253

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 Application requirements

08/09/2025
VC282

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 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 Exemption from notice and review

08/09/2025
VC282

### 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 one dwelling on a lot

An application under clause 32.08-5 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 clauses 54.02-1, 54.02-2, 54.02-3, 54.02-4, 54.02-5, 54.02-6, 54.02-7, 54.04 and 54.05-2 are met.

#### Construction and extension of a small second dwelling on a lot

An application under clause 32.08-6 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 clauses 54.02-1, 54.02-2, 54.02-3, 54.02-4, 54.02-5, 54.02-6, 54.02-8, 54.03-5, 54.04 and 54.05-2 are met.

#### 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.

## 32.08-14 Decision guidelines

31/03/2025
VC267

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.

## 32.08-15 Signs

14/12/2023
VC253

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

## 32.08-16 Transitional provisions

14/12/2023
VC253

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.

24/06/2021
C83gpla

# SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

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

**GOLDEN PLAINS GENERAL RESIDENTIAL AREA**

## 1.0 Neighbourhood character objectives

24/06/2021
C83gpla

None specified.

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

26/04/2024
VC252

| Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement? |
|---|
| No |

## 3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

| | Standard | Requirement |
|---|---|---|
| **Minimum street setback** | A2-1 | None specified |
| | B2-1 | None specified |
| **Site coverage** | A2-5 | None specified |
| | B2-5 | None specified |
| **Private open space** | A3-2 | None specified |
| | B3-5 | None specified |
| **Front fence height** | A2-7 and B2-8 | None specified |

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

26/04/2024
VC252

None specified.

## 5.0 Application requirements

26/04/2024
VC252

None specified.

## 6.0 Decision guidelines

26/04/2024
VC252

None specified.

# 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

31/03/2025
VC267

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.

## 32.09-1 Neighbourhood character objectives

27/03/2017
VC110

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

## 32.09-2 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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.<br>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.<br>Must be located in an existing building.<br>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br>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. |

| Use | Condition |
|---|---|
| | The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br>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.<br>Must be the only small second dwelling on the lot.<br>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:<br>▪ Adjoin a commercial zone or industrial zone.<br>▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br>The site must not exceed either:<br>▪ 3000 square metres.<br>▪ 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 Subdivision

16/10/2025
VC288

### Permit requirement

A permit is required to subdivide land.

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

### Minimum garden area requirement

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.

### Minimum lot size requirement

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.

### Clause 56 requirement

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, 56.03-5 (unless the land is in the Neighbourhood Character Overlay), 56.05-2, 56.06-1, 56.06-3 and 56.06-6. |
| 2 lots | Clauses 56.03-5 (only if the land is in the Neighbourhood Character Overlay), 56.04-2, 56.04-5, 56.06-8 and 56.07-4. |

### 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 | Provision |
|---|---|
| Subdivide land to realign the common boundary between two lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. | Clause 59.02 |
| Subdivide land into two lots if:<br>▪ The construction of a building or the construction or carrying out of works on the land:<br>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | Clause 59.02 |
| Subdivide land into two lots if:<br>▪ A permit has been issued under a provision of a residential zone to construct up to two dwellings on the land and the permit has not expired.<br>▪ Each lot will contain either:<br>– one existing dwelling; or<br>– one dwelling permitted to be constructed in accordance with the permit. | Clause 59.02 |
| Subdivide land into two lots for residential development if:<br>▪ The subdivision creates at least one vacant lot. | Clause 59.11 |

| Class of application | Provision |
|---|---|
| ▪ The land does not contain native vegetation if it has an area of 0.4 hectares or more.<br>▪ The land is not located in an Environmental Audit Overlay, Neighbourhood Character Overlay or an area that is a designated bushfire prone area as determined under section 192A of the *Building Act 1993*. | |

## 32.09-4 Construction or extension of a dwelling, small second dwelling or residential building

14/12/2023
VC253

### 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 Construction and extension of one dwelling on a lot

08/09/2025
VC282

### 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 54.02-7.

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 | Provision |
|---|---|
| Construct or extend a dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54:<br>▪ clause 54.02-1 Street setback.<br>▪ clause 54.02-2 Building height.<br>▪ clause 54.02-3 Side and rear setbacks.<br>▪ clause 54.02-4 Walls on boundaries.<br>▪ clause 54.02-5 Site coverage<br>▪ clause 54.02-6 Tree canopy.<br>▪ clause 54.02-7 Front fences.<br>▪ clause 54.04-1 Daylight to existing windows.<br>▪ clause 54.04-2 Existing north-facing windows.<br>▪ clause 54.04-3 Overshadowing secluded open space.<br>▪ clause 54.04-4 Overlooking.<br>▪ clause 54.05-2 Overshadowing domestic solar energy systems.<br>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 54 |
| 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 |

### Transitional provisions

Clauses 32.09-5, 54 and 59.14 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.09-6 Construction and extension of a small second dwelling on a lot

08/09/2025
VC282

### 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 | Provision |
|---|---|
| Construct or extend a small second dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54:<br>▪ clause 54.02-1 Street setback.<br>▪ clause 54.02-2 Building height.<br>▪ clause 54.02-3 Side and rear setbacks.<br>▪ clause 54.02-4 Walls on boundaries.<br>▪ clause 54.02-5 Site coverage.<br>▪ clause 54.02-6 Tree canopy.<br>▪ clause 54.02-8 Building setback for small second dwellings.<br>▪ clause 54.03-5 Safety and accessibility for small second dwellings.<br>▪ clause 54.04-1 Daylight to existing windows.<br>▪ clause 54.04-2 Existing north-facing windows.<br>▪ clause 54.04-3 Overshadowing secluded open space.<br>▪ clause 54.04-4 Overlooking.<br>▪ clause 54.05-2 Overshadowing domestic solar energy systems.<br>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 54 |

### Transitional provisions

Clauses 32.09-6, 54 and 59.14 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.09-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

16/10/2025
VC288

### 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 | Provision |
|---|---|
| Construct one dwelling if there is no more than one dwelling existing on a lot, extend a dwelling if there are two dwellings on a lot, or construct two dwellings on a lot, if the development meets the following standards of clause 55:<br>▪ clause 55.02-1 Street setback<br>▪ clause 55.02-2 Building height<br>▪ clause 55.02-3 Side and rear setbacks<br>▪ clause 55.02-4 Walls on boundaries<br>▪ clause 55.02-5 Site coverage<br>▪ clause 55.02-6 Access<br>▪ clause 55.02-7 Tree canopy<br>▪ clause 55.02-8 Front fences<br>▪ clause 55.04-1 Daylight to existing windows<br>▪ clause 55.04-2 Existing north-facing windows<br>▪ clause 55.04-3 Overshadowing secluded open space<br>▪ clause 55.04-4 Overlooking<br>▪ clause 55.05-2 Overshadowing domestic solar energy systems<br>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the clause 55 standard, the requirement in the schedule to the zone applies and must be met. | Clause 55 |
| Construct or extend a front fence within 3 metres of a street if the fence is associated with two 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 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

A schedule to this zone may specify the requirements of:

- Standards A2-1, A2-5, A2-7 and A3-2 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 Residential aged care facility

15/03/2024
VC256

### 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 Buildings and works associated with a Section 2 use

08/09/2025
VC282

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 | Provision |
|---|---|
| Construct a building or construct or carry out works where:<br>▪ 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<br>▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to $500,000; and<br>▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:<br>– clause 54.02-3 Side and rear setbacks.<br>– clause 54.02-4 Walls on boundaries.<br>– clause 54.04-1 Daylight to existing windows.<br>– clause 54.04-2 Existing north-facing windows.<br>– clause 54.04-3 Overshadowing secluded open space.<br>– clause 54.04-4 Overlooking.<br>– clause 54.05-2 Overshadowing domestic solar energy systems. | Clause 59.04 |

| Class of application | Provision |
|---|---|
| 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. | |

### Transitional provisions

Clauses 32.09-10, 54 and 59.04 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 32.09-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

14/12/2023
VC253

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 Application requirements

08/09/2025
VC282

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 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 Exemption from notice and review

08/09/2025
VC282

### 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 one dwelling on a lot

An application under clause 32.09-5 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 clauses 54.02-1, 54.02-2, 54.02-3, 54.02-4, 54.02-5, 54.02-6, 54.02-7, 54.04 and 54.05-2 are met.

### Construction and extension of a small second dwelling on a lot

An application under clause 32.09-6 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 clauses 54.02-1, 54.02-2, 54.02-3, 54.02-4, 54.02-5, 54.02-6, 54.02-8, 54.03-5, 54.04 and 54.05-2 are met.

### 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 clauses 55.02, 55.04-1, 55.04-2, 55.04-3, 55.04-4 and 55.05-2 are met.

## 32.09-14 Decision guidelines

31/03/2025
VC267

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 Signs

14/12/2023
VC253

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

## 32.09-16 Transitional provisions

14/12/2023
VC253

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.

21/12/2023
C103gpla

# SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

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

**GOLDEN PLAINS NEIGHBOURHOOD RESIDENTIAL AREA**

## 1.0 Neighbourhood character objectives

21/12/2023
C103gpla

None specified

## 2.0 Minimum subdivision area

21/12/2023
C103gpla

None specified

## 3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

| | Standard | Requirement |
|---|---|---|
| **Minimum street setback** | A2-1 | None specified |
| | B2-1 | None specified |
| **Site coverage** | A2-5 | None specified |
| | B2-5 | None specified |
| **Private open space** | A3-2 | None specified |
| | B3-5 | None specified |
| **Front fence height** | A2-7 and B2-8 | None specified |

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

26/04/2024
VC252

None specified

## 5.0 Application requirements

26/04/2024
VC252

None specified

## 6.0 Decision guidelines

26/04/2024
VC252

None specified

# 33 INDUSTRIAL ZONES

19/01/2006
VC37

## 33.01 INDUSTRIAL 1 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **IN1Z**.

### Purpose

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

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

## 33.01-1 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>The gross floor area of all buildings must not exceed 50 square metres. |
| **Convenience shop** | |
| **Crop raising** | |
| **Grazing animal production** | |
| **Home based business** | |
| **Industry (other than Materials recycling and Transfer station)** | Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.<br>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:<br>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.<br>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.<br>Must not:<br>▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022.<br>▪ Require a notification under the Occupational Health and Safety Regulations 2017.<br>▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.<br>▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.<br>Must not adversely affect the amenity of the neighbourhood, including through the:<br>▪ Transport of materials, goods or commodities to or from the land.<br>▪ Appearance of any stored goods or materials.<br>▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |

| Use | Condition |
|---|---|
| **Informal outdoor recreation** | |
| **Mail centre** | |
| **Railway** | |
| **Service station** | The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.<br><br>Must not adversely affect the amenity of the neighbourhood, including through the:<br>▪ Transport of materials, goods or commodities to or from the land.<br>▪ Appearance of any stored goods or materials.<br><br>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| **Shipping container storage** | Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.<br><br>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:<br>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.<br>▪ 100 metres, for a purpose not listed in the table to Clause 53.10.<br><br>Must not:<br>▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022.<br>▪ Require a notification under the Occupational Health and Safety Regulations 2017.<br>▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.<br>▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.<br><br>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br><br>Shipping containers must be setback at least 9 metres from a road in a Transport Zone 2 or a Transport Zone 3.<br><br>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.<br><br>Must not adversely affect the amenity of the neighbourhood, including through the:<br>▪ Transport of materials, goods or commodities to or from the land.<br>▪ Appearance of any stored goods or materials.<br>▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |

| Use | Condition |
|---|---|
| **Take away food premises** | |
| **Tramway** | |
| **Warehouse (other than Mail centre and Shipping container storage)** | Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.<br>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:<br>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.<br>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.<br>Must not:<br>▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022.<br>▪ Require a notification under the Occupational Health and Safety Regulations 2017.<br>▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.<br>▪ Require a licence under Dangerous Goods (HCDG) Regulations 2016.<br>Must not adversely affect the amenity of the neighbourhood, including through the:<br>▪ Transport of materials, goods or commodities to or from the land.<br>▪ Appearance of any stored goods or materials.<br>▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| **Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01. |

### Section 2 - Permit required

| Use | Condition |
|---|---|
| **Adult sex product shop** | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. |
| **Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)** | |
| **Caretaker's house** | |
| **Container deposit scheme centre** | |

| Use | Condition |
|---|---|
| **Education centre** | Must not be a primary or secondary school. |
| **Leisure and recreation (other than Informal outdoor recreation)** | |
| **Materials recycling** | The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution. |
| **Office** | The leasable floor area must not exceed the amount specified in the schedule to this zone. |
| **Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)** | |
| **Restricted retail premises** | |
| **Retail premises (other than Shop and Take away food premises)** | |
| **Sex services premises** | |
| **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 or land used for a hospital, an education centre a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution. |
| **Utility installation (other than Minor utility installation and Telecommunications facility).** | Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution. |
| **Any other use not in Section 1 or 3** | |

### Section 3 - Prohibited

| Use |
|---|
| **Accommodation (other than Caretaker's house)** |
| **Cinema based entertainment facility** |
| **Hospital** |
| **Intensive animal production** |

| Use |
| --- |
| **Pig farm** |
| **Poultry farm** |
| **Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Sex services premises)** |

## 33.01-2 Use of land

14/01/2025
VC237

### Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

## 33.01-3 Subdivision

31/07/2018
VC148

### Permit requirement

A permit is required to subdivide land.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Subdivide land to realign the common boundary between 2 lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ 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:<br>▪ The construction of a building or the construction or carrying out of works on the land:<br>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | Clause 59.02 |

### Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

- Interface with non-industrial areas.

## 33.01-4 Buildings and works

15/03/2024
VC256

### Permit requirement

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

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building's setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:<br>▪ Within 30 metres of land (not a road) which is in a residential zone.<br>▪ Used for a purpose listed in the table to Clause 53.10.<br>▪ Used for an Adult sex product shop. | Clause 59.04 |

### Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.

  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

### Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

### Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

## 33.01-5 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 2.

15/07/2013
VC100

# SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

## 1.0 Maximum leasable floor area requirements

24/06/2021
C83gpla

| Land | Maximum leasable floor area for Office (square metres) |
|---|---|
| None specified | None specified |

# 34 COMMERCIAL ZONES

15/07/2013
VC100

## 34.01 COMMERCIAL 1 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **B1Z**, **B2Z**, **B5Z** or **C1Z**.

### Purpose

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

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

### Operation

A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:

- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises).

## 34.01-1 Table of uses

14/01/2025
VC237

### 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.<br>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.<br>Must meet the requirements of Clause 52.22-2. |
| **Education centre (other than Child care centre)** | |
| **Exhibition centre** | |
| **Home based business** | |
| **Informal outdoor recreation** | |

| 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.<br>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 Use of land

15/07/2013
VC100

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

## 34.01-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Subdivide land to realign the common boundary between 2 lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ 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:<br>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | |

## 34.01-4 Buildings and works

01/12/2023
VC217

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:<br>▪ Within 30 metres of land (not a road) which is in a residential zone.<br>▪ Used for a purpose listed in the table to Clause 53.10.<br>▪ 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.

## 34.01-5 Site description and design response

08/09/2025
VC282

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.

## 34.01-6 Application requirements

14/01/2025
VC237

### 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 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

## 34.01-8 Decision guidelines

08/09/2025
VC282

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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

### 34.01-9 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 1.

15/07/2013
VC100

# SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

## 1.0 Maximum leasable floor area requirements

24/06/2021
C83gpla

| Land | Maximum leasable floor area for Office (square metres) | Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres) |
|---|---|---|
| None specified | None specified | None specified |

## 34.02 COMMERCIAL 2 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **B3Z**, **B4Z** or **C2Z**.

### Purpose

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

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

## 34.02-1 Table of uses

14/01/2025
VC237

### 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.<br>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.<br>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:<br>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.<br>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.<br>Must not:<br>▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022.<br>▪ Require a notification under the Occupational Health and Safety Regulations 2017.<br>▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.<br>▪ 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.<br>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.<br>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.<br>The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br>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.<br>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:<br>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.<br>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.<br>Must not:<br>▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022.<br>▪ Require a notification under the Occupational Health and Safety Regulations 2017.<br>▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.<br>▪ 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.<br>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 Use of land

15/07/2013
VC100

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

## 34.02-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Subdivide land to realign the common boundary between 2 lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ 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:<br>▪ The construction of a building or the construction or carrying out of works on the land:<br>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | Clause 59.02 |

## 34.02-4 Buildings and works

01/12/2023
VC217

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:<br>▪ Within 30 metres of land (not a road) which is in a residential zone.<br>▪ Used for a purpose listed in the table to Clause 53.10.<br>▪ 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 Application requirements

14/01/2025
VC237

### 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 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

## 34.02-7 Decision guidelines

31/07/2018
VC148

### General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

### Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

### Subdivision

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

### Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

## 34.02-8 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 1.

# 35 RURAL ZONES

19/01/2006
VC37

## 35.03 RURAL LIVING ZONE

31/07/2018
VC148

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

### Purpose

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

To provide for residential use in a rural environment.

To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.

To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.

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

## 35.03-1 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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.<br>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Community care accommodation** | Must meet the requirements of Clause 52.22-2.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Domestic animal husbandry (other than Domestic animal boarding)** | Must be no more than 2 animals. |
| **Dwelling (other than Bed and breakfast)** | The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares.<br>Must be the only dwelling on the lot.<br>Must meet the requirements of Clause 35.03-2.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Home based business** | |
| **Informal outdoor recreation** | |
| **Poultry farm** | Must be no more than 100 poultry (not including emus or ostriches). |

| Use | Condition |
|---|---|
| | Must be no more than 10 emus and ostriches. |
| **Racing dog husbandry** | Must be no more than 2 animals. |
| **Railway** | |
| **Small second dwelling** | Must be no more than one dwelling existing on the lot.<br>Must be the only small second dwelling on the lot.<br>Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.<br>Must meet the requirements of Clause 35.03-2.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **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 and Small second dwelling)** | |
| **Agriculture (other than Domestic animal husbandry, Apiculture, Intensive animal production, Poultry farm, Racing dog husbandry and Timber production)** | |
| **Bar** | The site must not have direct access to a rural freeway. |
| **Broiler farm - if the Section 1 condition to Poultry farm is not met** | Must be no more than 10,000 chickens. |
| **Car park** | Must be used in conjunction with another use in Section 1 or 2. |
| **Convenience shop** | The leasable floor area must not exceed 80 square metres.<br>The site must not have direct access to a rural freeway. |
| **Domestic animal boarding** | |
| **Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met** | Must meet the requirements of Clause 35.03-2. |
| **Freeway service centre** | Must meet the requirements of Clause 53.05. |

| Use | Condition |
|---|---|
| **Hotel** | The site must not have direct access to a rural freeway. |
| **Leisure and recreation (other than Informal outdoor recreation and Motor racing track)** | |
| **Market** | |
| **Medical centre** | |
| **Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)** | |
| **Plant nursery** | |
| **Postal agency** | |
| **Primary produce sales** | |
| **Racing dog husbandry – if the Section 1 condition is not met** | Must meet the requirements of Clause 53.12. |
| **Restaurant** | The site must not have direct access to a rural freeway. |
| **Rural industry (other than Abattoir and Sawmill)** | |
| **Service station** | The site must either:<br>▪ Adjoin a commercial zone or industrial zone.<br>▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.<br>The site must not exceed either:<br>▪ 3000 square metres.<br>▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.<br>The site must not have direct access to a rural freeway. |
| **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. |
| **Timber production** | Must meet the requirements of Clause 53.11. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |
| **Any other use not in Section 1 or 3** | |

### Section 3 - Prohibited

| Use |
|---|
| **Abattoir** |
| **Amusement parlour** |
| **Cinema based entertainment facility** |
| **Industry (other than Automated collection point and Rural Industry)** |
| **Intensive animal production** |
| **Motor racing track** |
| **Nightclub** |
| **Office (other than Medical centre)** |
| **Retail premises (other than Bar, Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales and Restaurant)** |
| **Saleyard** |
| **Sawmill** |
| **Small second dwelling – if the Section 1 condition is not met** |
| **Transport terminal** |
| **Warehouse (other than Store)** |

## 35.03-2 Use of land for a dwelling or small second dwelling

14/12/2023
VC253

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

- Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling or small second 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 or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

## 35.03-3 Subdivision

14/12/2023
VC253

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

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

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.

- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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

## 35.03-4 Buildings and works

14/12/2023
VC253

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

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.

  - 30 metres from a small second dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Construct a building or construct or carry out works with an estimated cost of up to $250,000 where:<br>▪ The land is not used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.<br>▪ The land is not within 30 metres of land (not a road) which is in a residential zone.<br>▪ The building or works are not associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.<br>Any works must not be earthworks specified in the schedule to the zone. | Clause 59.13 |

## 35.03-5 Decision guidelines

22/03/2022
VC219

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990.*

**Agricultural issues**

- The capacity of the site to sustain the agricultural use.

- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

**Environmental issues**

- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the 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 area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

## 35.03-6 Signs

31/07/2018
VC148

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

20/12/2024
C102gpla

## SCHEDULE 1 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ1**.

### 1.0 Subdivision and other requirements

20/12/2024
C102gpla

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum subdivision area (hectares) | All land | 8 hectares |
| Minimum area for which no permit is required to use land for a dwelling (hectares) | All land | 8 hectares |
| Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres) | None specified | None specified |
| Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres) | None specified | None specified |
| Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres) | None specified | None specified |
| Minimum setback from a road (metres) | All land | 10 metres |
| Minimum setback from a boundary (metres) | All land | 5 metres |
| Minimum setback from a dwelling not in the same ownership (metres) | All land | 30 metres |

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

20/12/2024
C102gpla

## SCHEDULE 2 TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ2.**

### 1.0 Subdivision and other requirements

20/12/2024
C102gpla

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum subdivision area (hectares) | All land | 2 hectares |
| Minimum area for which no permit is required to use land for a Dwelling (hectares) | All land | 8 hectares |
| Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres) | None specified | None specified |
| Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres) | None specified | None specified |
| Maximum floor area for which no permit is required to alter or extend an existing building used for Agriculture (square metres) | None specified | None specified |
| Minimum setback from a road (metres) | All land | 10 metres |
| Minimum setback from a boundary (metres) | All land | 5 metres |
| Minimum setback from a dwelling not in the same ownership (metres) | All land | 30 metres |

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

## 35.06 RURAL CONSERVATION ZONE

31/07/2018
VC148

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

### Purpose

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

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

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

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

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

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

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

## 35.06-1 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Bed and breakfast** | No more than 10 persons may be accommodated away from their normal place of residence.<br>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Domestic animal husbandry (other than Domestic animal boarding)** | Must be no more than 2 animals. |
| **Home based business** | |
| **Informal outdoor recreation** | |
| **Poultry farm** | Must be no more than 100 poultry (not including emus or ostriches).<br>Must be no more than 10 emus and ostriches. |
| **Racing dog husbandry** | Must be no more than 2 animals. |
| **Railway** | |
| **Tramway** | |
| **Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01. |

### Section 2 - Permit required

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

| Use | Condition |
|---|---|
| **Small second dwelling** | Must be no more than one dwelling existing on the lot.<br>Must be the only small second dwelling on the lot.<br>Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.<br>Must meet the requirements of Clause 35.06-2. |
| **Timber production** | Must meet the requirements of Clause 53.11. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |
| **Wind energy facility** | Must meet the requirements of Clause 52.32. |
| **Winery** | |
| **Any other use not in Section 1 or 3** | |

### Section 3 - Prohibited

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

## 35.06-2 Use of land for a dwelling or small second dwelling

14/12/2023
VC253

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

- Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling or small second 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 or small second 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 or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

## 35.06-3 Subdivision

14/12/2023
VC253

A permit is required to subdivide land.

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

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

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

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

## 35.06-4 Long term lease or licence for accommodation

05/09/2013
VC103

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

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

This provision only applies to land in Metropolitan Melbourne.

## 35.06-5 Buildings and works

14/12/2023
VC253

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

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
  - An alteration or extension to a small second dwelling.
  - An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - 100 metres from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road.
  - 40 metres from a Transport Zone 3 or land in a Public Acquisition Overlay for a road if the Head, Transport for Victoria is not the acquiring authority.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling or small second dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Construct a building or construct or carry out works with an estimated cost of up to $250,000 where:<br>▪ The land is not used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.<br>▪ The land is not within 30 metres of land (not a road) which is in a residential zone.<br>▪ The building or works are not associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.<br>Any works must not be earthworks specified in the schedule to the zone. | Clause 59.13 |

## 35.06-6 Decision guidelines

22/03/2022
VC219

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

### General issues

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

### Rural issues

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

### Environmental issues

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.

- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Accommodation issues**

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990.*

**Design and siting issues**

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990.*

## 35.06-7 Signs

31/07/2018
VC148

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

24/06/2021
C83gpla

## SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ1.**

### NORTH WEST CENTRAL AREA

### CONSERVATION VALUES

The values that this schedule seeks to conserve are:

- Natural heritage and biodiversity values of the north west central area, particularly significant areas of remnant native vegetation and close proximity to the Enfield State Forest.
- The farmed rural landscape characterised by low lying corridors of valleys, plains and undulating landform and remnant native vegetation.
- Agriculture as an important land use and an integral part of the local rural economy and character of the greater region.
- Limited rural living and small scale rural based tourism that is integrated with agricultural activities and which protects and enhances natural heritage and biodiversity values.

## 1.0 Subdivision and other requirements

24/06/2021
C83gpla

| | Land | Area/Dimensions/Number |
|---|---|---|
| Minimum subdivision area (hectares) | All land | 60 hectares |
| Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres) | None specified | None specified |
| Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres) | None specified | None specified |
| Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres) | None specified | None specified |

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

05/09/2013
VC103

## SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

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

### BAMGANIE-WOODBOURNE

#### Conservation Values

The values that this zone seeks to conserve are;

- Natural heritage and biodiversity values of the area in particular remnant native vegetation
- The rural landscape characterised by undulating plains and significant remnant native vegetation and farming activities

## 1.0 Subdivision and other requirements

05/09/2013
VC103

| | Land | Area/Dimensions/Number |
|---|---|---|
| Minimum subdivision area (hectares). | All land | 60 hectares |
| Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres). | None specified | |
| Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres). | None specified | |
| Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres). | None specified | |

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

05/09/2013
VC103

## SCHEDULE 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

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

### SHEOAKS-STEIGLITZ AREA

#### Conservation Values

The values that this zone seeks to conserve are;

- Natural heritage and biodiversity values of the Sheoaks-Steiglitz area including remnant native vegetation on private land
- The rural landscape is characterised by undulating plains, steeply sloped valleys, the Moorabool River and Sutherlands Creek and significant remnant native vegetation
- Agriculture is an integral part of the local rural economy and character of the greater region
- Limited rural living and small scale rural based tourism that is integrated with agricultural and/or natural heritage which protects and enhances the conservation values of the area

## 1.0 Subdivision and other requirements

05/09/2013
VC103

| | Land | Area/Dimensions/Number |
|---|---|---|
| Minimum subdivision area (hectares). | All land | 60 hectares |
| Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres). | None specified | |
| Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres). | None specified | |
| Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres). | None specified | |

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

## 35.07 FARMING ZONE

31/07/2018
VC148

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

### Purpose

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

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

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

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

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

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

## 35.07-1 Table of uses

15/08/2025
VC290

### Section 1 – Permit not required

| Use | Condition |
|---|---|
| **Abattoir** | Must be used in conjunction with Animal production on the same land or contiguous land in the same ownership.<br>Must not have a gross floor area more than 200 square metres.<br>Must not slaughter or process animals, including birds, at a designed throughput of greater than 120 tonnes of product per year.<br>Must not exceed a wastewater design or actual flow rate of greater than 5,000 litres per day. Must not be within 100 metres of a dwelling in separate ownership.<br>The land must be at least 100 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone, 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.<br>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance. |
| **Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)** | |
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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. |

| Use | Condition |
|---|---|
| | At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.<br>Must be located more than one kilometre from the nearest title boundary of land subject to:<br>▪ A permit for a wind energy facility; or<br>▪ An application for a permit for a wind energy facility; or<br>▪ An incorporated document approving a wind energy facility; or<br>▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Cattle feedlot** | Must meet the requirements of Clause 53.08.<br>The total number of cattle to be housed in the cattle feedlot must be 1000 or less.<br>The site must be located outside a special water supply catchment under the *Catchment and Land Protection Act 1994*.<br>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995. |
| **Domestic animal husbandry (other than Domestic animal boarding)** | Must be no more than 5 animals. |
| **Dwelling (other than Bed and breakfast)** | Must be the only dwelling on the lot.<br>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.<br>Must meet the requirements of Clause 35.07-2.<br>Must be located more than one kilometre from the nearest title boundary of land subject to:<br>▪ A permit for a wind energy facility; or<br>▪ An application for a permit for a wind energy facility; or<br>▪ An incorporated document approving a wind energy facility; or<br>▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Grazing animal production** | |
| **Home based business** | |

| Use | Condition |
|---|---|
| **Informal outdoor recreation** | |
| **Poultry farm** | Must be no more than 100 poultry (not including emus or ostriches).<br>Must be no more than 10 emus and ostriches. |
| **Primary produce sales** | Must not be within 100 metres of a dwelling in separate ownership.<br>The area used for the display and sale of primary produce must not exceed 50 square metres. |
| **Racing dog husbandry** | Must be no more than 5 animals. |
| **Railway** | |
| **Rural industry (other than Abattoir and Sawmill)** | Must not have a gross floor area more than 200 square metres.<br>Must not be within 100 metres of a dwelling in separate ownership.<br>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.<br>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:<br>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.<br>▪ 30 metres, for a purpose not listed in the table to Clause 53.10.<br>Must not:<br>▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022.<br>▪ Require a notification under the Occupational Health and Safety Regulations 2017.<br>▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011.<br>▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. |
| **Rural store** | Must be used in conjunction with Agriculture.<br>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.<br>Must be the only Rural store on the lot. |
| **Rural worker accommodation** | The number of persons accommodated at any time must not be more than 10.<br>Must be used in conjunction with Agriculture on the same land or contiguous land in the same ownership.<br>Must be used exclusively for accommodating workers engaged on the same land or contiguous land in the same ownership.<br>Must be the only accommodation other than a dwelling on the same land or contiguous land in the same ownership.<br>Must be on the same lot as an existing dwelling. |

| Use | Condition |
|---|---|
| | The lot must be at least the area specified in a schedule to this zone for which no permit is required to use land for a dwelling. If no area is specified, the lot must be at least 40 hectares.<br><br>Must meet the requirements of Clause 35.07-2.<br><br>Must be located more than one kilometre from the nearest title boundary of land subject to:<br>▪ A permit for a wind energy facility; or<br>▪ An application for a permit for a wind energy facility; or<br>▪ An incorporated document approving a wind energy facility; or<br>▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.<br><br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Small second dwelling** | Must be no more than one dwelling existing on the lot.<br><br>Must be the only small second dwelling on the lot.<br><br>Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.<br><br>Must meet the requirements of Clause 35.07-2.<br><br>Must be located more than one kilometre from the nearest title boundary of land subject to:<br>▪ A permit for a wind energy facility; or<br>▪ An application for a permit for a wind energy facility; or<br>▪ An incorporated document approving a wind energy facility; or<br>▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.<br><br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Timber production** | Must meet the requirements of Clause 53.11.<br><br>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.<br><br>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.<br><br>The plantation must not be within 100 metres of:<br>▪ Any dwelling in separate ownership.<br>▪ Any land zoned for residential, commercial or industrial use.<br>▪ Any site specified on a permit which is in force which permits a dwelling to be constructed. |

| Use | Condition |
|---|---|
| | The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority. |
| **Tramway** | |
| **Any use listed in Clause 62.01** | Must meet requirements of Clause 62.01. |

### Section 2 – Permit required

| Use | Condition |
|---|---|
| **Animal production (other than Cattle feedlot, Grazing animal production and Poultry farm)** | |
| **Broiler farm - if the Section 1 condition to Poultry farm is not met** | Must meet the requirements of Clause 53.09. |
| **Camping and caravan park** | |
| **Car park** | Must be used in conjunction with another use in Section 1 or 2. |
| **Cattle feedlot – if the Section 1 condition is not met** | Must meet the requirements of Clause 53.08.<br>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995. |
| **Cemetery** | |
| **Crematorium** | |
| **Domestic animal boarding** | |
| **Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met** | Must meet the requirements of Clause 35.07-2. |
| **Emergency services facility** | |
| **Freeway service centre** | Must meet the requirements of Clause 53.05. |
| **Group accommodation** | |
| **Host farm** | |
| **Industry (other than Automated collection point and Rural industry)** | |
| **Landscape gardening supplies** | |
| **Leisure and recreation (other than Informal outdoor recreation)** | |

| Use | Condition |
|---|---|
| **Manufacturing sales** | |
| **Market** | |
| **Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)** | |
| **Primary school** | |
| **Racing dog husbandry – if the Section 1 condition is not met** | Must meet the requirements of Clause 53.12. |
| **Renewable energy facility (other than Wind energy facility)** | Must meet the requirements of Clause 53.13. |
| **Residential hotel** | |
| **Restaurant** | |
| **Rice growing** | |
| **Rural worker accommodation – if the Section 1 condition is not met** | Must meet the requirements of Clause 35.07-2. |
| **Sawmill** | |
| **Secondary school** | |
| **Timber production – if the Section 1 condition is not met** | Must meet the requirements of Clause 53.11. |
| **Trade supplies** | |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |
| **Warehouse (other than Rural store)** | |
| **Wind energy facility** | Must meet the requirements of Clause 52.32. |
| **Winery** | |
| **Any other use not in Section 1 or 3** | |

### Section 3 – Prohibited

| Use |
|---|
| **Accommodation (other than Bed and breakfast, Camping and caravan park, Dwelling, Group accommodation, Host farm, Residential hotel, Rural worker accommodation and Small second dwelling)** |
| **Amusement parlour** |
| **Cinema based entertainment facility** |
| **Education centre (other than Primary school and Secondary school)** |

| Use |
|---|
| **Nightclub** |
| **Office** |
| **Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)** |
| **Small second dwelling – if the Section 1 condition is not met** |

## 35.07-2 Use of land for a dwelling, small second dwelling or rural worker accommodation

14/12/2023
VC253

A lot used for a dwelling, small second dwelling or rural worker accommodation must meet the following requirements:

- Access to the dwelling, small second dwelling or rural worker accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling, small second dwelling or rural worker accommodation must be connected to reticulated sewerage, if available. If reticulated sewerage is not available all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling, small second dwelling or rural worker accommodation 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, small second dwelling or rural worker accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

## 35.07-3 Subdivision

14/12/2023
VC253

A permit is required to subdivide land.

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

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

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

A permit cannot 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: | Clause 59.01 |

| Class of application | Information requirements and decision guidelines |
|---|---|
| ▪ Each new lot is at least the area specified for the land in the zone or the schedule to the zone.<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ The general direction of the common boundary does not change.<br>▪ The land is not used for Rural worker accommodation | |
| Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone where the land is not used for Rural worker accommodation. | Clause 59.12 |

## 35.07-4 Buildings and works

14/12/2023
VC253

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

- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a small second dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling or small second dwelling not in the same ownership.
  - A residential or urban growth zone.

- A building or works associated with accommodation located within one kilometre from the nearest title boundary of land subject to:
  - A permit for a wind energy facility; or
  - An application for a permit for a wind energy facility; or
  - An incorporated document approving a wind energy facility; or
  - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.<br>Any works must not be earthworks specified in the schedule to the zone. | Clause 59.13 |
| Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where:<br>▪ The land is not used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry, Rural industry or Rural worker accommodation.<br>▪ The land is not within 30 metres of land (not a road) which is in a residential zone.<br>▪ The building or works are not associated with accommodation located within one kilometre from the nearest title boundary of land subject to:<br>– A permit for a wind energy facility; or<br>– An application for a permit for a wind energy facility; or<br>– An incorporated document approving a wind energy facility; or<br>– A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.<br>▪ The building or works are not associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.<br>Any works must not be earthworks specified in the schedule to the zone. | Clause 59.13 |

## 35.07-5 Application requirements for dwellings

19/01/2006
VC37

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

## 35.07-6 Decision guidelines

22/03/2022
VC219

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

### General issues

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

### Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.
- Whether Rural worker accommodation is necessary having regard to:
  - The nature and scale of the agricultural use.
  - The accessibility to residential areas and existing accommodation, and the remoteness of the location.
- The duration of the use of the land for Rural worker accommodation.

### Accommodation issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
- The potential for accommodation to be adversely affected by noise and shadow flicker impacts if it is located within one kilometre from the nearest title boundary of land subject to:
  - A permit for a wind energy facility; or
  - An application for a permit for a wind energy facility; or

  - An incorporated document approving a wind energy facility; or
  - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990.*

**Environmental issues**

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

**Design and siting issues**

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce noise and shadow flicker impacts from the operation of a wind energy facility if it is located within one kilometre from the nearest title boundary of land subject to:
  - A permit for a wind energy facility; or
  - An application for a permit for a wind energy facility; or
  - An incorporated document approving a wind energy facility; or
  - A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

## 35.07-7 Signs

31/07/2018
VC148

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

28/03/2013
C58

# SCHEDULE TO CLAUSE 35.07 FARMING ZONE

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

## 1.0 Subdivision and other requirements

20/12/2024
C102gpla

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum subdivision area (hectares). | All land | 100 hectares |
| Minimum area for which no permit is required to use land for a dwelling (hectares). | All land | 100 hectares |
| Maximum area for which no permit is required to use land for timber production (hectares). | Land contained with an Environmental Significance, Significant Landscape or Vegetation Protection overlay. | 40 hectares |
| | In all other areas not included in an Environmental Significance, Significant Landscape or Vegetation Protection overlay | None specified |
| Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres). | None specified | |
| Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres). | None specified | |
| Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres). | None specified | |
| Minimum setback from a road (metres). | A Transport Zone 2 or land in a Public Acquisition Overlay if:<br>▪ The Head, Transport for Victoria is the acquiring authority; and<br>▪ The purpose of the acquisition is for a road. | 100 metres |
| | A Transport Zone 3 or land in a Public Acquisition Overlay if:<br>▪ The Head, Transport for Victoria is not the acquiring authority; and<br>▪ The purpose of the acquisition is for a road. | 40 metres |
| | Any other road | 20 metres |

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum setback from a boundary (metres). | Any other boundary | 5 metres |
| Minimum setback from a dwelling not in the same ownership (metres). | Any dwelling not in the same ownership | 100 metres |

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

## 35.08 RURAL ACTIVITY ZONE

31/07/2018
VC148

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

### Purpose

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

To provide for the use of land for agriculture.

To provide for other uses and development, in appropriate locations, which are compatible with agriculture and the environmental and landscape characteristics of the area.

To ensure that use and development does not adversely affect surrounding land uses.

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

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

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

## 35.08-1 Table of uses

15/08/2025
VC290

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Abattoir** | Must be used in conjunction with Animal production on the same land or contiguous land in the same ownership.<br>Must not have a gross floor area more than 200 square metres.<br>Must not slaughter or process animals, including birds, at a designed throughput of greater than 120 tonnes of product per year.<br>Must not exceed a wastewater design or actual flow rate of greater than 5,000 litres per day.<br>Must not be within 100 metres of a dwelling in separate ownership.<br>The land must be at least 100 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone, 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.<br>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance. |
| **Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)** | |
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>The gross floor area of all buildings must not exceed 50 square metres. |

| Use | Condition |
|---|---|
| **Bed and breakfast** | No more than 10 persons may be accommodated away from their normal place of residence.<br>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Cattle feedlot** | Must meet the requirements of Clause 53.08.<br>The total number of cattle to be housed in the cattle feedlot must be 1000 or less.<br>The site must be located outside a special water supply catchment under the *Catchment and Land Protection Act 1994*.<br>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995. |
| **Domestic animal husbandry (other than Domestic animal boarding)** | Must be no more than 5 animals. |
| **Grazing animal production** | |
| **Home based business** | |
| **Informal outdoor recreation** | |
| **Poultry farm** | Must be no more than 100 poultry (not including emus or ostriches).<br>Must be no more than 10 emus and ostriches. |
| **Primary produce sales** | Must not be within 100 metres of a dwelling in separate ownership.<br>The area used for the display and sale of primary produce must not exceed 50 square metres. |
| **Racing dog husbandry** | Must be no more than 5 animals. |
| **Railway** | |
| **Rural industry (other than Abattoir and Sawmill)** | Must not have a gross floor area more than 200 square metres.<br>Must not be within 100 metres of a dwelling in separate ownership.<br>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.<br>The land must be at least the following distances from land (not a road) which is in a residential zone and Rural Living Zone:<br>▪ The threshold distance, for a purpose listed in the table to Clause 53.10.<br>▪ 30 metres, for a purpose not listed in the table to Clause 53.10. |
| **Rural store** | Must be used in conjunction with Agriculture. |

| Use | Condition |
|---|---|
| | Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.<br>Must be the only Rural store on the lot. |
| **Small second dwelling** | Must be no more than one dwelling existing on the lot.<br>Must be the only small second dwelling on the lot.<br>Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.<br>Must meet the requirements of Clause 35.08-2.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Timber production** | Must meet the requirements of Clause 53.11.<br>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.<br>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.<br>The plantation must not be within 100 metres of:<br>▪ Any dwelling in separate ownership.<br>▪ Any land zoned for residential, commercial or industrial use.<br>▪ Any site specified on a permit which is in force which permits a dwelling to be constructed.<br>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority. |
| **Tramway** | |
| **Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01. |

### Section 2 - Permit required

| Use | Condition |
|---|---|
| **Animal production (other than Cattle feedlot, Grazing animal production and Poultry farm)** | |
| **Bar** | |
| **Broiler farm - if the Section 1 condition to Poultry farm is not met** | Must meet the requirements of Clause 53.09. |
| **Camping and caravan park** | |
| **Cattle feedlot - if the Section 1 condition is not met** | Must meet the requirements of Clause 53.08. |

| Use | Condition |
|---|---|
| | The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots - August 1995. |
| **Convenience shop** | The site must not have direct access to a rural freeway. |
| **Domestic animal boarding** | |
| **Dwelling (other than Bed and breakfast)** | Must meet the requirements of Clause 35.08-2. |
| **Freeway service centre** | Must meet the requirements of Clause 53.05. |
| **Group accommodation** | |
| **Hotel** | |
| **Host farm** | |
| **Landscape gardening supplies** | |
| **Leisure and recreation (other than Informal outdoor recreation)** | |
| **Market** | |
| **Manufacturing sales** | |
| **Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)** | |
| **Racing dog husbandry - if the Section 1 condition is not met** | Must meet the requirements of Clause 53.12. |
| **Restaurant** | |
| **Residential hotel** | |
| **Rice growing** | |
| **Sawmill** | |
| **Service station** | The site must not have direct access to a rural freeway. |
| **Trade supplies** | |
| **Timber production - if the Section 1 condition is not met** | Must meet the requirements of Clause 53.11. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |
| **Warehouse (other than Rural store)** | |

| Use | Condition |
|---|---|
| **Any other use not in Section 1 or 3** | |

**Section 3 - Prohibited**

| Use |
|---|
| **Accommodation (other than Backpackers' lodge, Bed and breakfast, Camping and caravan park, Dwelling, Group accommodation, Host farm, Residential hotel and Small second dwelling)** |
| **Amusement parlour** |
| **Child care centre** |
| **Cinema based entertainment facility** |
| **Industry (other than Automated collection point and Rural industry)** |
| **Nightclub** |
| **Office** |
| **Retail premises (other than Bar, Market, Convenience shop, Equestrian supplies, Hotel, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade Supplies)** |
| **Transport terminal** |
| **Small second dwelling – if the Section 1 condition is not met** |

## 35.08-2 Use of land for a dwelling or small second dwelling

14/12/2023
VC253

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

- Access to the dwelling or small second dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dwelling or small second dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in 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 or small second 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 or small second dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

## 35.08-3 Subdivision

14/12/2023
VC253

A permit is required to subdivide land.

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

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

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision and one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.

- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone. At least one lot must be at least the area specified for the land in a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

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

## 35.08-4 Buildings and works

14/12/2023
VC253

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

- A building or works associated with a use in Section 2 of Clause 35.08-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 250 square metres. Any area specified must be more than 250 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.

  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a small second dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain or, the distance specified in the schedule to this zone. Any distance specified must be less than 100 metres.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway wetland or designated flood plain.
  - A dwelling or small second dwelling not in the same ownership.
  - A residential or urban growth zone.
- A building or works associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.<br>Any works must not be earthworks specified in the schedule to the zone. | Clause 59.13 |
| Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where:<br>▪ The land is not used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.<br>▪ The land is not within 30 metres of land (not a road) which is in a residential zone.<br>▪ The building or works are not associated with accommodation located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.<br>Any works must not be earthworks specified in the schedule to the zone. | Clause 59.13 |

## 35.08-5 Decision guidelines

22/03/2022
VC219

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

### General issues

- The Municipal Planning Strategy and the Planning Policy Framework.

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

**Agricultural issues**

- Whether the use or development will support and enhance agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

**Accommodation issues**

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for accommodation to be adversely affected by vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990.*

**Environmental issues**

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

**Design and siting issues**

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Whether the use or development will require traffic management measures.
- The need to locate and design buildings used for accommodation to avoid or reduce the impact from vehicular traffic, noise, blasting, dust and vibration from an existing or proposed extractive industry operation if it is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

## 35.08-6 Signs

31/07/2018
VC148

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

24/06/2021
C83gpla

## SCHEDULE 1 TO CLAUSE 35.08 RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ1**.

### NORTH WEST AREA

#### Purpose

To achieve a planned mix of:

- Continuing small scale farming, horticultural and agricultural land uses.
- Small agricultural land holdings.
- Rural industries and associated agribusinesses.
- Nature based tourism development and recreation facilities.
- Revegetation of areas.

That reflects the current land use and development and is compatible with:

- The area's dominant landscape features.
- The gold mining history of substantial areas.
- The rural living use of extensive areas of both cleared and vegetated areas.
- The distinctive local townships, communities and settlements dispersed throughout the area.
- The continuing farming and agricultural use of large parts of the area.

### 1.0 Subdivision and other requirements

24/06/2021
C83gpla

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum subdivision area (hectares) | All land | 40 hectares |
| Minimum area for which no permit is required to use land for timber production (hectares) | All land | 40 hectares |
| Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres) | All land | None specified |
| Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres) | None specified | None specified |
| Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres) | All land | None specified |
| Minimum setback from a road (metres) | All land | 30 metres |
| Minimum setback from a boundary (metres) | All land | 5 metres |

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum setback from a dwelling not in the same ownership (metres) | None specified | None specified |

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

24/06/2021
C83gpla

## SCHEDULE 2 TO CLAUSE 35.08 RURAL ACTIVITY ZONE

Shown on the planning scheme map as **RAZ2**.

### MOORABOOL VALLEY

#### Purpose

To achieve a planned mix of:

- Agricultural land uses.
- Small agricultural use land holdings used for horticultural production.
- Rural industry and associated agribusinesses.
- Tourism and recreation facilities.

That reflects the current land use and development and the horticultural and tourist role of the area and is compatible with:

- The area's dominant landscape features in particular the enclosed river valleys, escarpments and open plateaus.
- The protection of the productivity of the land and its potential for further productive use.
- The distinctive tourist and recreational product that has developed and its potential for sensitive and managed development.

### 1.0 Subdivision and other requirements

24/06/2021
C83gpla

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum subdivision area (hectares) | All land | 40 hectares |
| Minimum area for which no permit is required to use land for timber production (hectares) | All land | 40 hectares |
| Maximum area for which no permit is required to alter or extend an existing dwelling (square metres) | All land | None specified |
| Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres) | None specified | None specified |
| Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres) | All land | None specified |
| Minimum setback from a road (metres) | All land | 30 metres |
| Minimum setback from a boundary (metres) | All land | 5 metres |

| | Land | Area/Dimensions/Distance |
|---|---|---|
| Minimum setback from a dwelling not in the same ownership (metres) | All land | 30 metres |

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

# 36 PUBLIC LAND ZONES

19/01/2006
VC37

# 36.01 PUBLIC USE ZONE

31/07/2018
VC148

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

## Purpose

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

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

## 36.01-1 Table of uses

14/11/2022
VC227

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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.<br>The use must be carried out by or on behalf of the public land manager. |

### Section 2 - Permit required

| Use | Condition |
|---|---|

### Section 3 - Prohibited

| Use |
|---|
| **Nil** |

## 36.01-2 Permit requirement

19/01/2006
VC37

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

## 36.01-3 Application requirements

19/01/2006
VC37

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

## 36.01-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

## 36.01-5 Permit not required

19/01/2006
VC37

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

## 36.01-6 Table of public land use

14/01/2025
VC237

| Shown on the planning scheme map | Purpose of public land use |
|---|---|
| **PUZ1** | Service & Utility |
| **PUZ2** | Education |
| **PUZ3** | Health & Community |
| **PUZ5** | Cemetery/Crematorium |
| **PUZ6** | Local Government |
| **PUZ7** | Other public use |

## 36.01-7 Signs

20/01/2022
VC205

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

Where a Transport Zone 2 or a Transport Zone 3 is the nearest adjoining zone, a permit is required to display a sign.

19/01/2006
VC37

# SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

## 1.0 Permit exemptions and conditions

19/01/2006
VC37

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

## 2.0 Sign requirements

24/06/2021
C83gpla

| Land | Sign Category |
|---|---|
| None specified | None specified |

## 36.02 PUBLIC PARK AND RECREATION ZONE

31/07/2018
VC148

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

### Purpose

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

To recognise areas for public recreation and open space.

To protect and conserve areas of significance where appropriate.

To provide for commercial uses where appropriate.

## 36.02-1 Table of uses

14/01/2025
VC237

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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.<br>Must not be on coastal Crown land under the *Marine and Coastal Act 2018*. |
| **Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01. |
| **Contractor's depot**<br>**Heliport**<br>**Office**<br>**Retail premises**<br>**Store**<br>**Any other use not in Section 3** | Must be either of the following:<br>A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *Local Government Act 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*.<br>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 Permit requirement

14/01/2025
VC237

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 Application requirements

19/01/2006
VC37

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.

- To the application for permit being made and to the proposed use or development.

## 36.02-4 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

## 36.02-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

## 36.02-6 Incorporated plan

19/01/2006
VC37

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

## 36.02-7 Use and development of land identified in a schedule

19/01/2006
VC37

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

## 36.02-8 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

24/06/2021
C83gpla

# SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

## 1.0 Permit exemptions and conditions

24/06/2021
C83gpla

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

## 2.0 Sign requirements

24/06/2021
C83gpla

| Land | Sign Category |
|---|---|
| None specified | None specified |

## 3.0 Use and development of land specified in an Incorporated Plan

24/06/2021
C83gpla

None specified.

## 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

31/07/2018
VC148

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

### Purpose

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

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

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

To provide for appropriate resource based uses.

## 36.03-1 Table of uses

14/01/2025
VC237

### 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.<br>The gross floor area of all buildings must not exceed 50 square metres. |
| **Boat launching facility**<br>**Camping and caravan park**<br>**Caretaker's house**<br>**Car park**<br>**Informal outdoor recreation**<br>**Interpretation centre**<br>**Jetty**<br>**Kiosk**<br>**Marine dredging**<br>**Mooring pole**<br>**Open sports ground**<br>**Pier**<br>**Pontoon**<br>**Road**<br>**Utility installation (other than Telecommunications facility)** | Must be either of the following:<br>▪ A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *Local Government Act 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*.<br>▪ Specified in an Incorporated plan in a schedule to this zone. |
| **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 *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*. |

**Section 2 - Permit required**

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

**Section 3 - Prohibited**

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

## 36.03-2 Permit requirement

14/01/2025
VC237

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 Application requirements

20/03/2023
VC229

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

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

## 36.03-4 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 36.03-5 Referral of applications

18/06/2010
VC62

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

## 36.03-6 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

## 36.03-7 Incorporated plan

18/06/2010
VC62

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.

- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

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

18/06/2010
VC62

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

## 36.03-9 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

24/06/2021
C83gpla

# SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

## 1.0 Permit exemptions and conditions

24/06/2021
C83gpla

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

## 2.0 Sign requirements

24/06/2021
C83gpla

| Land | Sign Category |
|---|---|
| None specified | None specified |

## 3.0 Use and development of land specified in an Incorporated Plan

24/06/2021
C83gpla

None specified.

## 36.04 TRANSPORT ZONE

20/01/2022
VC205

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

### Purpose

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

To provide for an integrated and sustainable transport system.

To identify transport land use and land required for transport services and facilities.

To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.

To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.

## 36.04-1 Table of uses

15/03/2024
VC256

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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 Permit requirement

20/01/2022
VC205

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1. This does not apply to navigational beacons and aids.
- Subdivide land.

## 36.04-3 Application requirements

20/01/2022
VC205

An application by a person other than a relevant transport manager on land shown on a planning scheme map as TRZ1 or TRZ2 must be accompanied by the written consent of the Head, Transport for Victoria, indicating that the Head, Transport for Victoria consents generally or conditionally to either:

- The application being made.
- The application being made and to the proposed use or development.

## 36.04-4 Table of transport uses

20/01/2022
VC205

| Shown on the planning scheme map | Purpose of transport use |
|---|---|
| **TRZ1** | State transport infrastructure |
| **TRZ2** | Principal road network |
| **TRZ3** | Significant municipal road |
| **TRZ4** | Other transport use |

## 36.04-5 Decision guidelines

20/01/2022
VC205

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the development, operation and safety of the transport system.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

## 36.04-6 Signs

12/02/2024
VC254

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.

# 37 SPECIAL PURPOSE ZONES

19/01/2006
VC37

## 37.01 SPECIAL USE ZONE

31/07/2018
VC148

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

### Purpose

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

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

## 37.01-1 Table of uses

19/01/2006
VC37

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Any use in Section 1 of the schedule to this zone** | Must comply with any condition in Section 1 of the schedule to this zone |

### Section 2 - Permit required

| Use | Condition |
|---|---|
| **Any use in Section 2 of the schedule to this zone** | Must comply with any condition in Section 2 of the schedule to this zone. |
| **Any other use not in Section 1 or 3 of the schedule to this zone** | |

### Section 3 - Prohibited

| Use |
|---|
| **Any use in Section 3 of the schedule to this zone** |

## 37.01-2 Use of land

31/07/2018
VC148

Any requirement in the schedule to this zone must be met.

### Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

### Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

## 37.01-3 Subdivision

14/12/2023
VC253

### 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:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ 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:<br>▪ The construction of a building or the construction or carrying out of works on the land:<br>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | Clause 59.02 |

### Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

### Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

## 37.01-4 Buildings and works

20/12/2021
VC174

### Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

| Class of application | Information requirements and decision guidelines |
|---|---|
| Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:<br>▪ Within 30 metres of land (not a road) which is in a residential zone.<br>▪ Used for a purpose listed in the table to Clause 53.10. | Clause 59.04 |

### Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clause 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

### Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

### Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

## 37.01-5 Signs

31/07/2018
VC148

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

24/06/2021
C83gpla

## SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

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

### REFUSE DISPOSAL

#### Purpose

To provide for the use of land for refuse disposal.

To ensure that the refuse disposal is developed in an orderly and proper manner having regard to land capability and environmental impact.

To ensure that the operation of the refuse disposal is not detrimental to the productive use of surrounding land and the amenity of the area through the provision of suitable attenuation distances.

To allow a range of uses compatible with the operation and management of the land for a refuse disposal.

## 1.0 Table of uses

14/11/2022
VC227

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>The gross floor area of all buildings must not exceed 50 square metres. |
| **Cattle feedlot** | Must meet the requirements of Clause 53.08.<br>The total number of cattle to be housed in the cattle feedlot must be 1000 or less. |
| **Crop raising (other than Timber production)** | |
| **Extensive animal husbandry** | |
| **Home based business** | |
| **Informal outdoor recreation** | |
| **Railway** | |
| **Timber production** | Must meet the requirements of Clause 53.11. |
| **Tramway** | |
| **Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01 |

### Section 2 - Permit required

| Use | Condition |
|---|---|
| **Agriculture (other than Cattle feedlot, Extensive animal husbandry, and Crop raising)** | |
| **Equestrian supplies** | |
| **Leisure and recreation (other than Informal outdoor recreation)** | |

| Use | Condition |
|---|---|
| **Mineral, stone, or soil extraction (other than Mineral exploration, Mining and Stone exploration)** | |
| **Refuse disposal** | The refuse disposal must operate with Environment Protection Authority works approval and licensing conditions. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |

**Section 3 - Prohibited**

| Use |
|---|
| **Industry (other than Automated collection point and Refuse disposal)** |
| **Any other use not in Section 1 or 2** |

## 2.0 Use of land

24/06/2021
C83gpla

None specified.

## 3.0 Subdivision

24/06/2021
C83gpla

No minimum lot size is specified.

Subdivision must be for the purposes of this schedule.

## 4.0 Buildings and works

24/06/2021
C83gpla

A permit is not required for an extension to an existing building / or structure with a floor area of less than 100 square metres to an approved Section 2 use.

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

- Excavation or land fill works which are in excess of the depth or height of 1 metre.
- Land forming where any change to the natural or existing topography of land increases the flow of water or changes the discharge point of water across any adjoining or neighbouring properties.
- A building which is within any of the following setbacks:
  - 20 metres from a road.
  - 5 metres from a boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a watercourse or designated flood plain.
- A dam which is any of the following:
  - More than 3000 cubic metres.
  - On a permanent watercourse.
  - Diverts water from a permanent watercourse.

## 5.0 Signs

24/06/2021
C83gpla

None specified.

24/06/2021
C83gpla

## SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ2.**

### REGIONAL REFUSE DISPOSAL

#### Purpose

To provide for the use and development of land as a regional refuse disposal.

To ensure that the refuse disposal is developed in an orderly and proper manner having regard to land capability and environmental impacts.

To ensure that the operation of the refuse disposal is not detrimental to the productive use of surrounding land and the amenity of the area through the provision of suitable attenuation distances.

## 1.0 Table of uses

14/11/2022
VC227

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>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 |

### Section 2 - Permit required

| Use | Condition |
|---|---|
| **Mineral, stone, or soil extraction (other than Mineral exploration, Mining and Stone exploration)** | |
| **Refuse disposal** | Development of the subject land must be generally in accordance with the Environment Effects Statement (EES) prepared by AGC Woodward - Clyde, and the additional information produced in response to a request from the Environment Protection Authority, and comply with the conditions specified in any Environment Protection Authority Works Approval and Licence issued. |
| **Transfer station (other than Automated collection point)** | |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |

**Section 3 - Prohibited**

| Use |
|---|
| Industry (other than Refuse disposal and Transfer station) |
| All other uses |

## 2.0 Use of land

20/12/2024
C102gpla

The active refuse disposal area must not be open to the general public. All refuse entering the site must be by a municipal council or contractor's vehicle either from direct collection or from a transfer station and from other vehicles authorised by the Joint Working Party from Regional Garbage Disposal in the Greater Ballarat Area (Joint Working Party) or its successor.

The refuse disposal operation shall be operated and managed so as not to prejudicially affect the amenity of the locality to the satisfaction of the responsible authority.

No toxic or hazardous wastes are permitted to be deposited on the subject land.

Vehicle access to and from the subject land shall not operate outside the hours of 7.00am to 4.30pm Monday to Saturday and 9.00am to 4.30pm on Sunday, except with the written permission of the responsible authority. Other refuse disposal operations may occur between the hours of 7.00am and 6.00pm Monday to Saturday and 9.00am to 6.00pm Sunday.

The refuse disposal must be staffed at all times when open for tipping. All gates providing access to the subject land must be closed and locked when the refuse disposal operation is not staffed.

Refuse must be covered with a suitable earth material on a daily basis.

Refuse disposal must not occur within 50 metres of a private land boundary or 100 metres of Woady Yaloak (or Smythes) Creek.

The refuse disposal base and berms shall be constructed using continuous quality control to provide a uniform clay liner for each landfill cell with a permeability of 109 m/s to the satisfaction of the responsible authority in consultation with the Environment Protection Authority. Before refuse disposal commences in any cell, the responsible authority must be satisfied that the above permeability can be achieved.

If the specified criteria cannot be met to the satisfaction of the responsible authority then the cell will have to be abandoned or other measures used.

All aspects of water storage and drainage systems, including provision of leachate pondage shall be designed and constructed for a wet year so that they can accommodate the consequences of a 1 in 20 year flood event.

A fence and gates, capable of catching wind blow debris, shall be erected around any active refuse disposal area to the satisfaction of the responsible authority.

## 3.0 Subdivision

24/06/2021
C83gpla

No minimum lot size is specified.

Subdivision must be for the purposes of this schedule.

## 4.0 Buildings and works

24/06/2021
C83gpla

A permit is required to construct a building or construct or carry out works for a use in Section 2 of section 1.0.

## 5.0 Signs

24/06/2021
C83gpla

None specified.

24/06/2021
C83gpla

## SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

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

### LETHBRIDGE AIRPORT

#### Purpose

To provide for a safe and efficient operational airport for the use of light aircraft and associated activities.

To provide for the use and development of industries and activities associated with light aircraft.

To allow for restricted commercial and retail activities related to the use of the land for light aircraft.

To provide for aeronautical related training.

To ensure use and development of the site is compatible with existing uses in the vicinity.

## 1.0

14/11/2022
VC227

## Table of uses

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Airport** | 1. The use must comply with the conditions specified in Section 2 of this schedule.<br>2. Does not include ancillary uses specified in Section 2. |
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>The gross floor area of all buildings must not exceed 50 square metres. |
| **Car park** | Must strictly relate to the use of the land for aviation purposes. |
| **Crop raising (other than Rice growing, Timber production and Market garden)** | |
| **Extensive animal husbandry** | |
| **Heliport** | The use must comply with the conditions specified in Section 2 of this schedule. |
| **Water retarding basin** | |
| **Weather station** | |
| **Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01 |

### Section 2 - Permit required

| Use | Condition |
|---|---|
| **Caretaker's house** | Not more than 6 caretaker's houses can be constructed. |
| **Commercial display area**<br>**Education centre (other than Primary school and Secondary school)** | Must strictly relate to the use of the land for aviation purposes. |

| Use | Condition |
|---|---|
| **Emergency services facility** | |
| **Exhibition centre** | Must strictly relate to the use of the land for aviation purposes. |
| **Fuel depot** | |
| **Function centre** | Must strictly relate to the use of the land for aviation purposes. |
| **Group accommodation** | Must strictly relate to the use of the land for aviation purposes, education centre or aviation related tourism. |
| **Hotel** | Must strictly relate to the use of the land for aviation purposes, education centre or aviation related tourism. |
| **Industry (other than Materials recycling, Refuse disposal, Rural industry and Transfer station)** | Must strictly relate to the use of the land for aviation purposes. |
| **Motel** | Must strictly relate to the use of the land for aviation purposes, education centre or aviation related tourism. |
| **Office** | The leasable floor area must not exceed 500 sqm.<br>Must strictly relate to the use of the land for aviation purposes. |
| **Retail premises (other than Gambling premises, Landscape gardening supplies, Motor vehicle, boat, or caravan sales and Trade supplies)**<br>**Restricted recreation facility**<br>**Store (other than Shipping container storage)** | Must strictly relate to the use of the land for aviation purposes. |
| **Utility Installation (other than Minor utility Installation, Water retarding basin and Telecommunications facility)** | |

### Section 3 – Prohibited

| Use |
|---|
| **Transfer station (other than Automated collection point)** |
| **Any other use not in Section 1 or 2** |

## 2.0 Use of land

24/06/2021
C83gpla

The use of the land for airport and heliport must comply with the following requirements. Reference to aircraft includes helicopters:

- Except with a permit the number aircraft movements must not exceed 17500 per annum. Each take-off, landing, or touch and go is an aircraft movement.
- The take-off weight of aircraft using the airport must not exceed 5700 kilograms.

- No flights over houses within a 1 kilometre radius of the land.
- Except with the written consent of responsible authority the number of airshows, fly-ins and similar events must not exceed six per annum.
- Aircraft movements must, except with the written consent of the responsible authority, be limited to:
  - 15 minutes after sunrise to 15 minutes before sunset during daylight savings time.
  - Sunrise to sunset during Eastern Standard Time.
- An Air Operations Management Plan must be approved by the responsible authority. The plan must include the following:
  - The method by which the number of aircraft movements per annum will be monitored and reported to the responsible authority.
  - The method by which annual aircraft movements will be monitored and audited.
  - Specified flight paths.
  - A requirement that take offs and landings, and circuit flight paths must be in accordance with the specified flight paths.
- The Air Operations Plan must be submitted to the responsible authority within 6 months of the gazettal of the amendment that introduces this schedule.
- Prior to approving the Air Operations Management Plan or any amendment to it, the responsible authority must give or direct the applicant to give notice of the proposed plan or amendment to properties that may be materially affected by the airport operations and invite submissions to the plan or amendment. In deciding whether to approve the plan or amendment the responsible authority must consider any submission.
- A water storage facility with a minimum capacity of 50,000 litres be maintained on the subject land.
- The operation of the airport must be generally in accordance with the Air Operations Management Plan, which must be made publicly available, including all associated reports and audits. The approved Plan and reports must be posted on the airport website within 30 days of the approval date.
- Notice of any airshow, fly-in or other such event must be given at least 10 days before the event by publishing a notice in a newspaper generally circulating in the area and by posting details on the airport website.
- The operator of the airport must request Airservices Australia to publish a web address/link in *EnRoute Supplement Australia (ERSA)* to the airport website displaying the approved flight paths.

**Application requirements**

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out, including advice on how the proposal is consistent with the purpose of the zone.
- The likely effects, if any, on adjoining land including noise levels, traffic, hours of operation, and light spill.
- In the absence of reticulated sewerage, a demonstration that the site is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy Water of Victoria under the *Environment Protection Act 1970*.

The following application requirements apply to an application for a permit to use the land for Industry or Store under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A statement detailing how the proposed use strictly relates to the use of the land for aviation purposes.
- The type and quantity of goods to be stored, processed or produced.
- Confirmation of whether approvals are required from the Environmental Protection Authority.
- The likely effects on adjoining land, including air-borne emissions, emissions to land and water, and noise.

## 3.0 Subdivision

24/06/2021
C83gpla

Any permit for subdivision must contain a condition requiring the owner and responsible authority to enter into an agreement pursuant to section 173 of the Act requiring the use and development of any new lot to be strictly related to aviation and ancillary purposes.

Prior to a statement of compliance being issued for any subdivision the Air Operations Management Plan required by section 2.0 must be approved to the satisfaction of the responsible authority.

### Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- In the absence of reticulated sewerage, a demonstration that the site is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy under the *Environment Protection Act 1970*.
- A demonstration of the interdependency of the lots being created, any common property proposed, and any areas of common use. The assessment should incorporate infrastructure access and provision.
- An indicative building envelope, any proposed landscaping, car parking egress and access.
- A plan showing the proposed use of the new lot(s) and it relationship to other buildings and adjacent land uses.
- A plan showing a convenient and safe internal road and pedestrian network with appropriate linkages.
- A report which considers the impact of traffic movements to and from the subject land on the Midland Highway. This report will consider appropriate locations and treatment of the intersections of access roads with the Midland Highway. The report must be to the satisfaction of the responsible authority.
- A landscape concept plan showing buffer plantings to the Midland Highway.
- Appropriate treatment for lots in the vicinity of the Midland Highway which recognises the interface and landscaping issues in that location.
- A water sensitive drainage master plan providing for appropriate stormwater drainage.

### Exemption from notice and appeal

An application for subdivision is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

## 4.0 Buildings and works

24/06/2021
C83gpla

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

This requirement does not apply to the construction of hangars for the accommodation, maintenance, repair, assembly and modification of aircraft provided they are sited 6 metres from the external boundary of the land zoned Special Use.

### Application requirements

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site and its co-location with similar uses such as commercial, retail, industrial and accommodation
  - Adjoining roads.
  - The location 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.
  - A convenient and safe internal road and pedestrian network with appropriate linkages.
  - A landscape concept plan showing buffer plantings to the Midland Highway --
  - The proposed method of managing storm water flows from the buildings and works.
  - 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 report which considers the impact of traffic movements to and from the subject land on the Midland Highway. This report will consider appropriate locations and treatment of the intersections of access roads with the Midland Highway. The report must be to the satisfaction of Head, Transport for Victoria and the responsible authority.
- In the absence of reticulated sewerage, a demonstration that the site is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy under the *Environment Protection Act 1970*.

## 5.0 Signs

24/06/2021
C83gpla

Sign requirements are at Clause 52.05. All land located within the Lethbridge Airport Precinct subject to this schedule is in Category 3.

24/06/2021
C83gpla

# SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ4.**

## BANNOCKBURN GOLF COURSE

### Purpose

To provide for the use and development of the land for a golf course and ancillary activities.

## 1.0 Table of uses

14/11/2022
VC227

### Section 1 - Permit not required

| Use | Condition |
|---|---|
| **Automated collection point** | Must meet the requirements of Clause 52.13-3 and 52.13-5.<br>The gross floor area of all buildings must not exceed 50 square metres. |
| **Golf course** | |
| **Golf driving range** | |
| **Informal outdoor recreation** | |
| **Railway** | |
| **Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01 |

### Section 2 - Permit required

| Use | Condition |
|---|---|
| **Accommodation** | Must be associated with the purpose of this schedule. |
| **Gaming premises** | Must be associated with the purpose of this schedule. |
| **Leisure and recreation (other than Golf course, Golf driving range and Informal outdoor recreation)** | |
| **Place of assembly** | |
| **Restaurant** | Must be associated with the purpose of this schedule. |
| **Retail premises** | Must be associated with the purpose of this schedule. |
| **Office** | Must be associated with the purpose of this schedule. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | |

### Section 3 - Prohibited

| Use |
|---|
| **Industry (other than Automated collection point)** |

| Use |
| --- |
| Any use not in Sections 1 or 2 |

## 2.0 Use of land

24/06/2021
C83gpla

### Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The effect of the use on the amenity of the surrounding area.
- The likely effects of the use on adjoining land, including effects of noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill.

### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect that the use will have on nearby existing or proposed residential areas or sensitive land uses and the effect that existing nearby uses may have on the proposed use.
- The drainage of the land.
- The effect of traffic to be generated on roads.

## 3.0 Subdivision

24/06/2021
C83gpla

Subdivision must be for the purposes of this schedule.

### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect that the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance the golf course as an entertainment and recreation venue.
- Any natural or cultural values on or near the site.
- The availability and provision of utility services to the site.

## 4.0 Buildings and works

04/05/2022
VC210

### Permit requirement

A permit is not required to construct a building or construct or carry out works for:

- An alteration or extension to an existing building provided the floor area of the alteration or extension is less than 100 square metres.
- The construction of a building where the floor area is less than 100 square metres.
- A building which is setback more than:
  - 100 metres from a Transport Zone 2.

- 20 metres from any other road.
- 5 metres from any other boundary.

### 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 capability of the land to accommodate the proposed development, addressing site quality attributes, land capability and drainage patterns.
- How the proposed development relates to the surrounding land uses, and how it complements the golf course.
- Whether the proposed development enhances the golf course as an attractive entertainment and recreation venue.
- The provision of car parking.
- The availability of and connection to utility services.
- Any natural or cultural values on or near the land.
- The impact that the proposed development will have on traffic in the vicinity of the site.
- The effect of the proposed buildings and works on the amenity of the surrounding area.
- The protection and retention of existing remnant native vegetation.

## 5.0 Signs

24/06/2021
C83gpla

None specified.

## 40 OVERLAYS

19/01/2006
VC37

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

## 41 [NO CONTENT]

31/07/2018
VC148

# 42 ENVIRONMENTAL AND LANDSCAPE OVERLAYS

19/01/2006
VC37

# 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

31/07/2018
VC148

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

### Purpose

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

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

## 42.01-1 Environmental significance and objectives

31/07/2018
VC148

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

## 42.01-2 Permit requirement

16/10/2025
VC288

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 | Provision |
|---|---|
| Subdivide land to realign the common boundary between two lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. | Clause 59.02 |

| Class of application | Provision |
|---|---|
| Subdivide land into two lots if:<br>▪ The construction of a building or the construction or carrying out of works on the land:<br>– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | Clause 59.02 |
| Subdivide land into two lots if:<br>▪ A permit has been issued under a provision of a residential zone to construct up to two dwellings on the land and the permit has not expired.<br>▪ Each lot will contain either:<br>– one existing dwelling; or<br>– one dwelling permitted to be constructed in accordance with the permit. | Clause 59.02 |
| Construct a fence. | Clause 59.05 |
| Remove, destroy or lop one tree provided:<br>▪ 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.<br>▪ 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:<br>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.<br>▪ A rainwater tank.<br>The buildings and works must be associated with a dwelling or a small second dwelling. | Clause 59.05 |

## 42.01-3 Table of exemptions

16/08/2024
VC262

| The requirement to obtain a permit does not apply to: | |
|---|---|
| **Emergency works** | Vegetation that is to be removed, destroyed or lopped:<br>▪ 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<br>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Extractive industry** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Fire protection** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:<br>▪ fire fighting;<br>▪ 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;<br>▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*);<br>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;<br>▪ in accordance with a fire prevention notice issued under either:<br>– section 87 of the *Fire Rescue Victoria Act 1958*;<br>– section 65 of the *Forests Act 1958*; or<br>– section 41 of the *Country Fire Authority Act 1958*.<br>▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;<br>▪ 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*.<br>*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.* |
| **Geothermal energy exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| **Greenhouse gas sequestration and exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Land management or directions notice** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| **Land use conditions** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| **Mineral exploration and mining** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:<br>▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or<br>▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.<br>*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.* |
| **Noxious weeds** | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*). |
| **Pest animal burrows** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.<br>In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |

| 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 *Conservation, Forests and Lands Act 1987*). |
| **Regrowth** | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:<br>▪ bracken (Pteridium esculentum); or<br>▪ 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.<br>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.<br>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:<br>▪ 1 hectare of vegetation which does not include a tree.<br>▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.<br>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>This exemption does not apply to costeaning and bulk sampling activities. |
| **Surveying** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:<br>▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or<br>▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017). |
| **Tram stops** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter. |
| **Transport land** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure. |

## 42.01-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

## 42.01-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

24/06/2021
C83gpla

# SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO1**.

**BARWON WATER SUPPLY CATCHMENT**

## 1.0 Statement of environmental significance

24/06/2021
C83gpla

The Barwon Water supply catchment plays a very important role in supplying potable water to urban and rural communities throughout the Barwon Region. This water catchment must be protected from inappropriate development that may impact on the water quality of the catchment.

## 2.0 Environmental objective to be achieved

24/06/2021
C83gpla

To ensure the protection and maintenance of water quality and water quantity within the Moorabool River (Sheoaks) and Stony Creek Special Water Supply Catchment Areas.

To encourage best practice land and water management in areas within the Moorabool River (Sheoaks) and Stony Creek Special Water Supply Catchment Areas.

To prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.

To prevent pollution, increased nutrient loads and increased turbidity of water in watercourses, drains and other features.

To prevent increased surface water runoff, or concentration of surface water runoff, leading to erosion, siltation, pollution of watercourses, drains and other features.

## 3.0 Permit requirement

20/12/2024
C102gpla

Any applications to develop or subdivide may be referred for comment to the Department of Energy, Environment and Climate Action and must be referred for comment to the relevant water board or water supply authority.

A permit is not required for:

- Fence, wall or similar structure.
- Construction of paved areas, including patios and car parks.
- Passive recreation.
- Unenclosed buildings, except for dairy milking sheds, buildings used for animal keeping and buildings used for intensive animal husbandry.
- Works ancillary to a dwelling, except for any effluent disposal system.
- Construction of a pergola.
- The provision of floodlighting.
- Minor road widening or deviation.
- Works undertaken by the relevant water board or water supply authority.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

20/12/2024
C102gpla

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 potential for the proposed development or subdivision to degrade water quality or quantity.
- Whether the proposal will:
  - Be undertaken in accordance with the environmental objectives of this schedule.
  - Be consistent with the physical capability of the land, so that degradation of water quality and quantity does not occur.
  - Erode banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.
  - Pollute, add increased nutrient levels and cause increased turbidity of water in watercourses, drains and other features.
  - Cause increased runoff of concentration of surface water leading to erosion, siltation, pollution of water in watercourses, drains and other features.
- The need to maintain or plant vegetation along water ways to protect water quality.
- Any management plan prepared by the relevant water board or water supply authority.

In assessing an application for the use and development of a cattle feedlot which is located within a special water supply catchment area, consider as relevant:

- Whether any new point source discharges are avoided or support the rationalisation of existing discharge points.
- Whether waste water discharges to the environment are reduced to the maximum extent that is reasonable and practicable, and in accordance with the following hierarchy of waste management:
  - Waste avoidance.
  - Recycling and reclamation.
  - Waste reuse.
  - Waste treatment to reduce potentially degrading impacts.
  - Waste disposal.
- The need for a management plan to be prepared as part of an application to prevent the pollution of waterways and groundwater, and manage the consequences of any pollution which does occur for uses which use, produce, convey or store significant quantities of materials which could cause substantial pollution of waters if released through accidents, malfunctions or spillage.
- Whether sources of pollution are reduced and managed through the development and implementation of best practice land and water management.
- Any need to include as a condition of approval that a stormwater management plan be prepared to address safeguards to reduce the transportation of pollutants off-site.
- How storm water strategies address both the construction phase and continued use of developments.

24/06/2021
C83gpla

# SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO2**.

**WATERCOURSE PROTECTION**

## 1.0 Statement of environmental significance

24/06/2021
C83gpla

Water quality is important for urban and rural communities alike and consideration of downstream effects is essential. The Corangamite Catchment Management Board has identified high priority issues in the catchment as water erosion, eutrophication and the quality of groundwater.

The protection of watercourses is necessary to prevent the degradation of the environment, with respect to water quality, habitat, vegetation and erosion.

## 2.0 Environmental objective to be achieved

24/06/2021
C83gpla

To maintain the quality and quantity of water within the watercourse.

To maintain the ability of streams and watercourses to carry natural flows.

To prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.

To protect and encourage the long term future of fauna and flora habitats along watercourses.

To prevent pollution and increased turbidity of water in natural watercourses.

To prevent increased surface runoff or concentration of surface water runoff leading to erosion or siltation of watercourses.

To conserve existing wildlife habitats close to natural watercourses and, where appropriate, to allow for generation and regeneration of habitats.

To restrict the intensity of use and development of land and to activities which are environmentally sensitive and which are compatible with potential drainage or flooding hazards.

## 3.0 Permit requirement

20/12/2024
C102gpla

Any application to develop land may be referred for comment to:

- The Department of Energy, Environment and Climate Action.
- The relevant water board or water supply authority.

Planning permits are not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

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:

- Existing use of land and the reason for the development in relation to that use.
- Possible effect of the development on the quality and quantity of water.
- Potential for flooding to occur.
- Conservation of natural terrestrial and aquatic habitats.

- Preservation of and the impact on soils and the need to prevent erosion.
- Protection of the area for its recreational value.
- Effect of any development on the flow of flood waters and flood control measures.
- Need to prevent or reduce the concentration of diversion of floodwater or stormwater.
- Conservation of natural habitats and the preservation of native fauna, fish and other aquatic life.
- Proper management of the land as a watercourse area.
- The need for fencing off of waterways and other land management measures.

24/06/2021
C83gpla

# SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO3**.

**MT MISERY CREEK, SURFACE HILL - SMYTHESDALE, KLEIN AND SWANSTON ROAD AREA, DEREEL, SWAMP ROAD - DEREEL, YARROWEE CREEK, TEESDALE RESERVE, MOORABOOL VALLEY, SUTHERLAND CREEK, MEREDITH, STEIGLITZ**

## 1.0 Statement of environmental significance

24/06/2021
C83gpla

These areas all contain environmental attributes which vary from remnant vegetation, unspoiled habitats, scientific importance, natural beauty, natural heritage and unique geological formations.

## 2.0 Environmental objective to be achieved

20/12/2024
C102gpla

To protect the biodiversity, habitat, conservation, geological and landscape values of the above areas, including natural environmental processes and natural resources of soil, water, flora and fauna.

## 3.0 Permit requirement

20/12/2024
C102gpla

Any application to develop land may be referred for comment to the Department of Energy, Environment and Climate Action.

Planning permits are not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

A permit is not required for:

- A fence.
- Road works.
- Passive recreation.
- Unenclosed buildings.
- Works ancillary to a dwelling, except for any effluent disposal system.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

20/12/2024
C102gpla

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:

- Whether the development or subdivision is in accordance with the environmental objectives of this schedule.
- Whether the development or subdivision is consistent the environmental qualities of the site and surrounding land.
- The preservation of the natural environment including natural environmental processes, any important landscape or conservation characteristics of the area.
- The need to protect the general environs of any natural vegetation or objects or features from development which would detract from their setting.
- Existing use of land and the reason for the development in relation to that use.

- The suitability of the proposed development in relation to the environmental significance of the area.
- The necessity of undertaking landscaping works and retaining vegetation in the vicinity of natural features, watercourses, roads, property boundaries, buildings and natural habitats.
- The need to control the siting, shape and height of any buildings or extensions and the extent to which the materials, colours and external finishes of buildings conform in appearance and character with adjacent buildings and with the character and appearance of the area generally.
- The necessity of retaining a buffer strip of vegetation in the vicinity of watercourses, roads, property boundaries and natural habitats.

24/06/2021
C83gpla

# SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO4**.

**INVERLEIGH REMNANT VEGETATION AREA**

## 1.0 Statement of environmental significance

24/06/2021
C83gpla

This area contains environmental attributes varying from large mature native remnant vegetation to a flora species of National and State significance, Clover Glycine (*Glycine latrobeana*) as identified on Map 1. The area forms a link with the Inverleigh Golf Course and the Inverleigh Nature Conservation Reserve, which also contains significant fauna and habitat which should not be compromised.

## 2.0 Environmental objective to be achieved

24/06/2021
C83gpla

To protect and retain the large mature remnant vegetation across the site.

To protect, retain and manage the Clover Glycine from removal or any potentially threatening processes.

To protect the habitat values of the land.

To ensure the area which adjoins the Inverleigh Golf Course and the Inverleigh Nature Conservation Reserve is not compromised.

To ensure that the siting of development, infrastructure and works respects the physical and biological integrity of the remnant vegetation.

To promote the use of locally indigenous plants for regeneration and revegetation.

## 3.0 Permit requirement

24/06/2021
C83gpla

A permit is required for a fence.

A permit is not required for:

- An extension (50 square metres or less) to an existing dwelling provided that it is to be constructed within an approved building envelope and does not require any native vegetation removal.

## 4.0 Application requirements

20/12/2024
C102gpla

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

An application to remove vegetation must:

- Be accompanied by a plan that identifies the existing extent and quality of native vegetation on the land and the extent of proposed clearing, destruction or lopping.
- Demonstrate that the extent of removal, destruction or lopping of native vegetation has been reduced as much as is reasonable and practicable.
- Specify the purpose of any proposed clearing.
- Include an arborist's report identifying the quality of the vegetation to be removed and a management plan.

An application may be referred for advice to the Department of Energy, Environment and Climate Action.

## 5.0 Decision guidelines

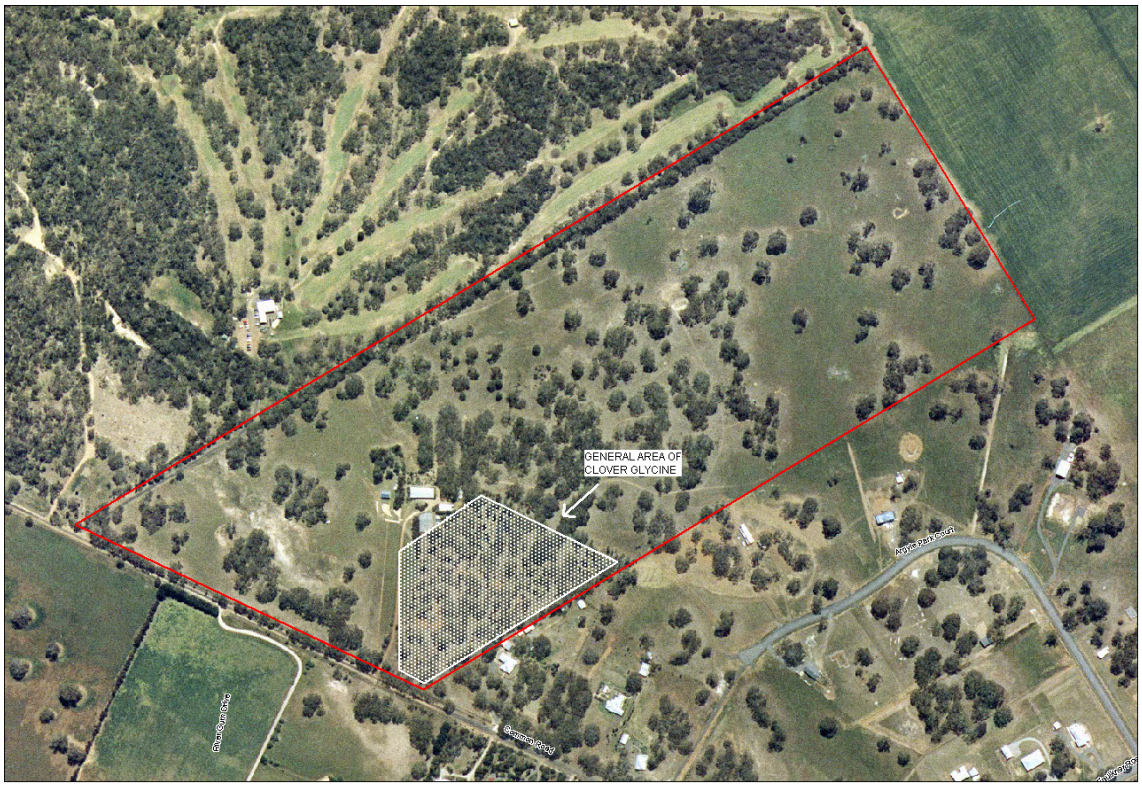
24/06/2021
C83gpla

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 need to retain remnant vegetation in terms of physical and biological condition, rarity, variety and habitat quality.
- The likely effect of removal, destruction or lopping of native vegetation on resident or migratory fauna and the need to retain trees (live and dead) with hollows, understorey vegetation, native grasses and ground litter for habitat value.
- The reasons for removing the vegetation and the practicality of alternative options which do not require the removal of native vegetation.
- The need to replace (offset) cleared vegetation.
- The importance of using indigenous species of local provenance for revegetation.
- The need to provide for fire protection while minimising the impact on vegetation, particularly at the rear of allotments adjoining the Inverleigh Golf Course.
- The views of the Department of Environment, Land, Water and Planning, if applicable.

### Map 1 to Schedule 4 to Clause 42.01

### General area of site covered by Clover Glycine



# 42.02 VEGETATION PROTECTION OVERLAY

31/07/2018
VC148

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.

## 42.02-1 Vegetation significance and objectives

31/07/2018
VC148

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.

## 42.02-2 Permit requirement

28/10/2022
VC224

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:<br>- 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.<br>- There is no other current VicSmart application to remove, destroy or lop a tree on the same land. | Clause 59.06 |

## 42.02-3 Table of exemptions

16/08/2024
VC262

| 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<br>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Extractive industry** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Fire protection** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:<br>▪ fire fighting;<br>▪ planned burning;<br>▪ 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;<br>▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*);<br>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;<br>▪ in accordance with a fire prevention notice issued under either:<br>– section 87 of the *Fire Rescue Victoria Act 1958*;<br>– section 65 of the *Forests Act 1958*; or<br>– section 41 of the *Country Fire Authority Act 1958*.<br>▪ 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 *Electricity Safety Act 1998*;<br>▪ 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*.<br>*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.* |
| **Geothermal energy exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| **Greenhouse gas sequestration and exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Land management 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 *Catchment and Land Protection Act 1994*. |
| **Land use conditions** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| **Mineral exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act* 1990: |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or<br>▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.<br>*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.* |
| **Noxious weeds** | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*). |
| **Pest animal burrows** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.<br>In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |
| **Planted vegetation** | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| **Railways** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Regrowth** | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:<br>▪ bracken (*Pteridium esculentum*); or<br>▪ 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.<br>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 *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration** | Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.<br>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:<br>▪ 1 hectare of vegetation which does not include a tree.<br>▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.<br>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>This exemption does not apply to costeaning and bulk sampling activities. |
| **Surveying** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | ▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or<br>▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017). |
| **Tram stops** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter. |
| **Transport land** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure. |

## 42.02-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

## 42.02-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and 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 defendable 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.

- 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.

24/06/2021
C83gpla

# SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO1**.

**WESTERN PLAINS GRASSLANDS**

## 1.0 Statement of nature and significance of vegetation to be protected

24/06/2021
C83gpla

To protect areas of remnant grasslands which are significant for their representative nature of the Western Plains Grasslands.

## 2.0 Vegetation protection objectives to be achieved

24/06/2021
C83gpla

To protect the conservation values of the above areas.

To protect significant remnant grassland species.

## 3.0 Permit requirement

20/12/2024
C102gpla

Any application to develop land may be referred for comment to the Department of Energy, Environment and Climate Action.

Planning permits are not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

20/12/2024
C102gpla

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development or subdivision is in accordance with the environmental objectives of this schedule.
- Whether the development or subdivision is consistent the environmental qualities of the site and surrounding land.
- The conservation and enhancement of the area.
- The preservation of, and impact on, the natural environment, vegetative or landscape values.
- The role of native vegetation in conserving the flora and fauna and in the provision of food and habitat.
- The objectives of and, any recommendations made under the Flora and Fauna Guarantee Act.

24/06/2021
C83gpla

# SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO2**.

## BUSHLAND RESERVES AND ROADSIDE VEGETATION AREAS

## 1.0 Statement of nature and significance of vegetation to be protected

24/06/2021
C83gpla

These areas contain significant remnant vegetation located within bushland reserves and government road reserves. Such areas include significant species of:

- Red Ironbark, Yellow Box and Red Stringy Bark eucalyptus species.
- Rare and endangered flora and fauna species of regional significance.

## 2.0 Vegetation protection objectives to be achieved

24/06/2021
C83gpla

To protect the conservation values of the above areas.

To protect significant remnant vegetation species.

## 3.0 Permit requirement

20/12/2024
C102gpla

Any application to develop land may be referred for comment to the Department of Energy, Environment and Climate Action.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack where a vegetation management plan has been approved by the responsible authority.

A planning permit is not required for works and maintenance of roads controlled by the Golden Plains Shire Council where a Roadside Management Plan has been approved by the responsible authority.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

20/12/2024
C102gpla

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development or subdivision is in accordance with the environmental objectives of this schedule.
- Whether the development or subdivision is consistent with the environmental qualities of the site and surrounding land.
- The conservation and enhancement of the area.
- The preservation of, and impact on, the natural environment, vegetative or landscape values.
- The role of native vegetation in conserving the flora and fauna and in the provision of food and habitat.
- The need to retain native vegetation if it is rare or supports rare species of flora or fauna and where it forms part of a wildlife corridor.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- The sensitive siting and construction of driveways and crossings over roadsides.

Works in roadside areas will have regard to the need to undertake preventative measures to prevent the spread of pest plants.

# 42.03 SIGNIFICANT LANDSCAPE OVERLAY

31/07/2018
VC148

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

### Purpose

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

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

## 42.03-1 Landscape character and objectives

31/07/2018
VC148

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

## 42.03-2 Permit requirement

14/12/2023
VC253

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:<br>▪ 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.<br>▪ 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:<br>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.<br>▪ 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 Table of exemptions

16/08/2024
VC262

| The requirement to obtain a permit does not apply to: | |
|---|---|
| **Emergency works** | Vegetation that is to be removed, destroyed or lopped:<br>▪ 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<br>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Extractive industry** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Fire protection** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:<br>▪ fire fighting;<br>▪ planned burning;<br>▪ 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;<br>▪ making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*);<br>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;<br>▪ in accordance with a fire prevention notice issued under either:<br>– section 87 of the *Fire Rescue Victoria Act 1958*;<br>– section 65 of the *Forests Act 1958*; or<br>– section 41 of the *Country Fire Authority Act 1958*.<br>▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;<br>▪ minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.<br>*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.* |
| **Geothermal energy exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the *Geothermal Energy Resources Act 2005*. |

| 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 *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Land management or directions notice** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| **Land use conditions** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| **Mineral exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:<br>▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or<br>▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.<br>*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.* |
| **Noxious weeds** | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*). |
| **Pest animal burrows** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.<br>In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |
| **Planted vegetation** | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| **Railways** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Regrowth** | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is<br>▪ bracken (*Pteridium esculentum*); or<br>▪ 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.<br>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.<br>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:<br>▪ 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.<br>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>This exemption does not apply to costeaning and bulk sampling activities. |
| **Surveying** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:<br>▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or<br>▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017). |
| **Tram stops** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter. |
| **Transport land** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure. |

## 42.03-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

## 42.03-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

24/06/2021
C83gpla

## SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

**DEVILS KITCHEN**

### 1.0 Statement of nature and key elements of landscape

20/12/2024
C102gpla

The Devils Kitchen is a landscape of regional significance containing a significant geological formation located in the Western Plains, south west of Ballarat.

The landscape comprises a deeply incised gorge that has been carved out of the rolling, open pastures by the passage of the Woady Yaloak River. The steep sides of the gorge are a highly distinctive formation of basalt rock that has geological significance and is scarce in the broader regional context. The columnar formation and stacked, box-like texture of the cliffs and rocks have a unique, sculptural quality. Scrubby vegetation clings to the edges and there is a strong contrast between the exposed rocky faces and the cleared, grassy plains above.

Views open suddenly as the gorge is descended. The viewing corridor of Linton-Piggoreet Road winds through the gorge and is framed by the steep exposed basal walls. At the base of the gorge, views are contained within the walls of the valley. As the gorge is ascended a foreground of rolling and partially vegetated grassland terminates at low rolling hills in the distance. Productive agriculture and sustainable land management practices are a key element of the landscape and contribute to the character of the Devils Kitchen.

The Devils Kitchen and Woady Yaloak River are the traditional country of the Wadawurrung people to whom it holds social, cultural and spiritual significance. The waterbodies, distinctive natural features and places of ecological value within this area are likely to have high significance for Wadawurrung people. The Devils Kitchen has tourism appeal, and is a known rock climbing destination.

### 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To conserve and enhance the significant Devils Kitchen landscape, which is characterised by its geological formation.

To ensure development is designed to minimise the visual impact on the landscape character of the area.

To maintain views to the Devils Kitchen from viewing corridors, including the viewing corridor of Linton-Piggoreet Road.

To encourage the siting and design of buildings or works that respond to the landscape character of the site.

To conserve and enhance indigenous vegetation corridors in the Devils Kitchen landscape.

### 3.0 Permit requirement

24/06/2021
C83gpla

A permit is not required to construct or carry out any of the following:

- An alteration or extension to an existing dwelling where the alteration or extension is less than 5 metres in height above natural ground level and less than 100 square meters in additional floor area.
- A building used for agriculture that is less than 5 metres in height above ground level and less than 200 square meters in floor area.

A permit is required to:

- Remove, deface or destroy rock formations or natural geological features.

- Construct a fence. This does not apply to a timber post and wire, timber post and railing, wire mesh ('ringlock'), chainmesh or similar open rural style fence less than 1.8 metres in height.
- Remove, destroy or lop native vegetation. This does not apply to:
  - The removal of vegetation that is dead. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  - The minimum extent of vegetation necessary for the maintenance of existing fences, to a combined maximum width of clearing for either side of the fence of 4 metres.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

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:

- The visible impact of building or works from the Linton-Piggoreet Road viewing corridor.
- Whether the building or works are sited:
  - To maximise clustering of new buildings with existing buildings.
  - To avoid visually prominent locations such as ridgelines and prominent hill faces and landscape features.
  - Among established vegetation and/or screened with substantial landscaping of locally appropriate species.
  - To follow the natural form of the landscape.
  - To be set back sufficient distances from roads to minimise visual intrusion.
  - To be set back an adequate distance from watercourses.
- Where the siting of a building cannot be avoided on prominent hill faces and other steep locations, whether the building or works:
  - Is located in the lower one third of the visible slope.
  - Utilises existing or proposed new vegetation to screen it from view.
  - Is designed to follow the natural contour of the land or step down the slope to minimise earthworks.
  - Is articulated into separate building elements to avoid visually dominant elevations.
- Whether the building or works are designed:
  - Using simple, pared-back building forms and design detailing.
  - Utilising colours and finishes that best immerse the building within the landscape and minimise contrast with the surrounds.
  - Utilising materials and finishes that reduce distant visibility.
- The scale of a building and its impact on its surroundings, including its relationship to the existing or future tree canopy height.

- Whether onsite revegetation will replace the loss of existing vegetation.
- Whether the vegetation is isolated or part of a grouping of vegetation.

### Background document

South West Victoria Landscape Assessment Study (Planisphere, June 2013)

24/06/2021
C83gpla

# SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO2**.

## RUSSELL'S BRIDGE LANDSCAPE

## 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

The Russell's Bridge area represents a significant landscape, with notable topographic features including the Moorabool River valley, ridgelines and river plain.

## 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the former Russell's Bridge settlement, Moorabool River valley, ridgelines and river plain.

To protect the significant views into and out of the Russell's Bridge landscape area.

To minimise the visual impacts of inappropriate development upon the significance of the landscape.

To encourage the siting, bulk, form, design and use of materials in buildings and works which respond to the landscape values of the area.

## 3.0 Permit requirement

28/07/2021
GC191

A planning permit is required to:

- Remove, destroy or lop any native vegetation.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

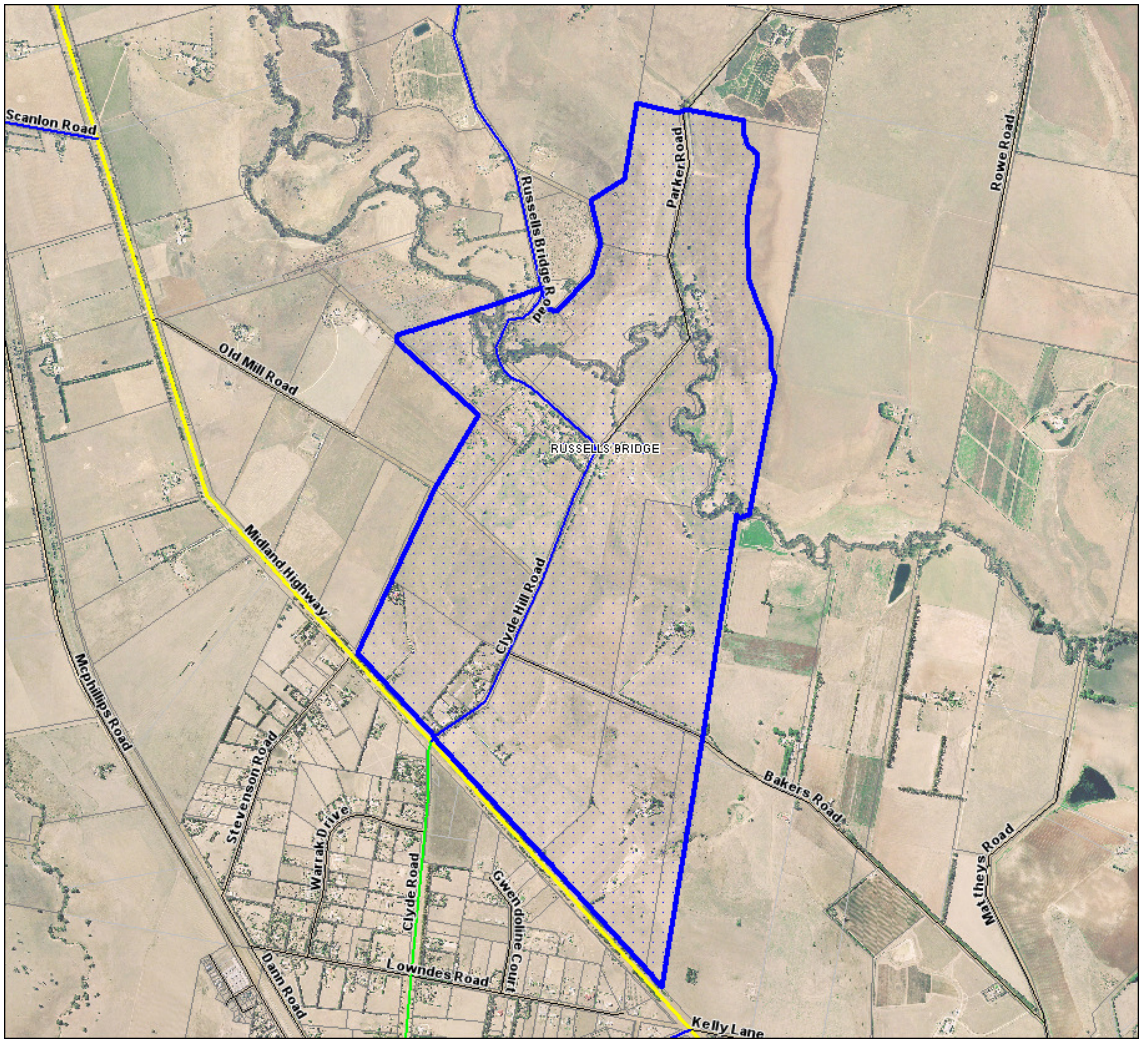
24/06/2021
C83gpla

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:

- The preservation of the landscape values of the Russell's Bridge settlement, Moorabool River valley, ridgelines and river plain.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- The need to protect the general environs of any natural vegetation or objects or features from development which would detract from their setting.

## Map 1 to Schedule 2 to Clause 42.03

## Russell's Bridge Significant Landscape Overlay area



24/06/2021
C83gpla

# SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO3**.

## MURGHEBOLUC LANDSCAPE

## 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

The Murghboluc area represents a significant landscape with notable topographic features including the Barwon River Valley, ridgelines and river plain.

## 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the Murghebolu settlement, Barwon River valley, ridgelines and river plain.

To protect the significant views into and out of the Murghebolu landscape area.

To minimise the visual impacts of inappropriate development upon the significance of the landscape.

To encourage the siting, bulk, form, design and use of materials in buildings and works which respond to the landscape values of the area.

## 3.0 Permit requirement

28/07/2021
GC191

A planning permit is required to:

- Remove, destroy or lop any native vegetation.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

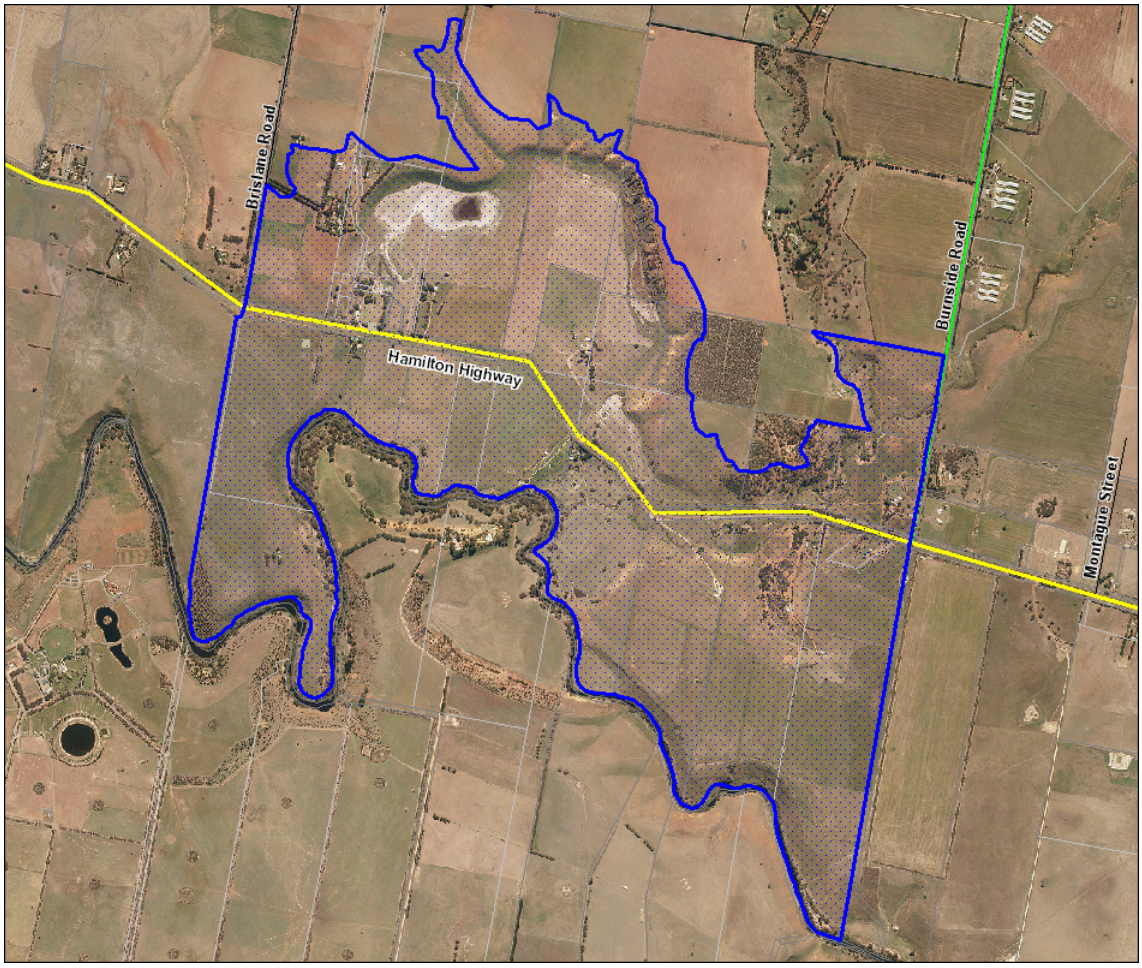
24/06/2021
C83gpla

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:

- The preservation of the landscape values of the Murghebolu settlement, Barwon River valley, ridgelines and river plain.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- The need to protect the general environs of any natural vegetation or objects or features from development which would detract from their setting.

## Map 1 to Schedule 3 to Clause 42.03

## Murgheboluc Significant Landscape Overlay area



24/06/2021
C83gpla

# SCHEDULE 4 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO4**.

**CORINDHAP AVENUE OF HONOUR**

## 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

An Avenue of Honour comprising *Pinus radiata* (Monterey Pine) and *Cupressus macrocarpa* (Monterey Cypress) trees defines the southern approach into Corindhap. The Corindhap Avenue of Honour is of social and historical significance to the Golden Plains Shire as a site for community commemoration and a powerful landscape feature.

## 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the Corindhap Avenue of Honour as a dramatic entrance feature into the township.

To protect and maintain the Corindhap Avenue of Honour as an important landscape feature.

## 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the *Pinus radiata* (Monterey Pine) and *Cupressus macrocarpa* (Monterey Cypress) Avenue of Honour.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

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:

- The preservation of the landscape values of the Corindhap Avenue of Honour.
- The conservation of significant stands of trees that provide dramatic entrance features into rural settlements
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees".*

## Map 1 to Schedule 4 to Clause 42.03

## Corindhap Avenue of Honour Significant Landscape Overlay area

24/06/2021
C83gpla

## SCHEDULE 5 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO5**.

### INVERLEIGH ENTRANCE AVENUES AND STREET TREES

### 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

Two avenues of *Cupressus macrocarpa* (Monterey Cypress) signal the western and eastern approach into Inverleigh.

These significant stands are connected by inter plantings of street trees along High Street between Railway Street and East Street. Plantings include *Cupressus macrocarpa* (Monterey Cypress), *Cupressus macrocarpa* var. 'Aurea' (Golden Cypress), *Schinus molle* var. 'Areira' (Peppercorn), *Pinus radiata* (Monterey Pine), Quercus Robur (English Oak) and Eucalypt species.

### 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the avenues of *Cupressus macrocarpa* (Monterey Cypress) and the inter planting of street trees along High Street.

To protect and maintain the avenues and the street trees as important landscape features of the Inverleigh Township.

### 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the *Cupressus Macrocarpa* avenues and street trees along High Street.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

### 4.0 Application requirements

24/06/2021
C83gpla

None specified.

### 5.0 Decision guidelines

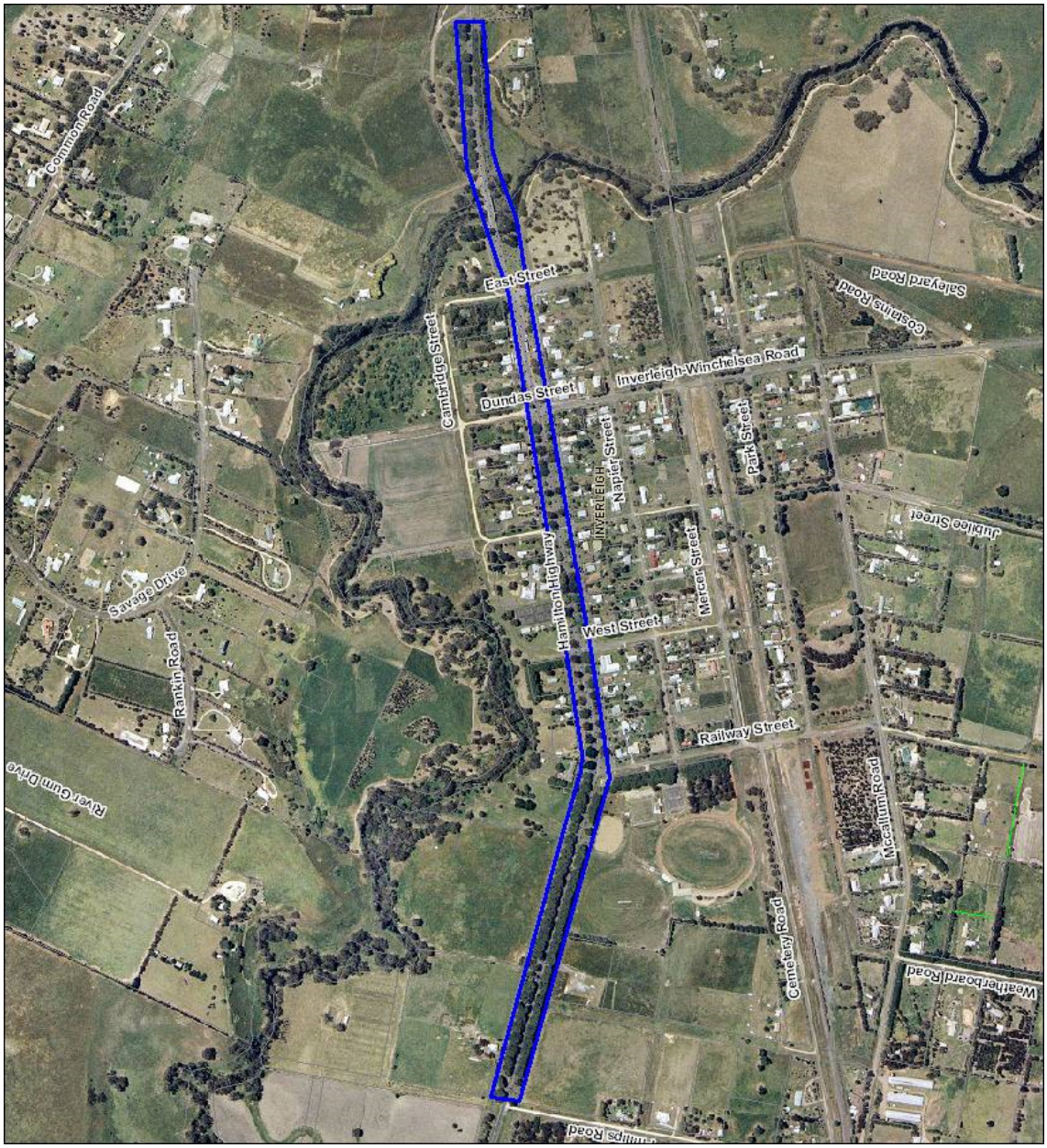
24/06/2021
C83gpla

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:

- The preservation of the landscape values of the *Cupressus macrocarpa* avenues the mixture of native and exotic street trees along High Street.
- The conservation of significant stands of trees that provide dramatic entrance features into rural settlements.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees".*

## Map 1 to Schedule 5 to Clause 42.03

## Inverleigh Entrance Avenues and Street Trees Significant Landscape Overlay area



24/06/2021
C83gpla

## SCHEDULE 6 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO6**.

**WORLD WAR 1 AVENUE OF HONOUR, LINTON**

### 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

An Avenue of Honour comprising *Ulmus procera* (English Elms) lines Denison Street Linton. The avenue is of social and historical significance to the Golden Plains Shire as a site for community commemoration and as a powerful landscape feature.

### 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the World War 1 Avenue of Honour.

To protect and maintain the *Ulmus procera* avenue as an important landscape feature and memorial to those that served and died in the Great War.

### 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the *Ulmus procera* avenue.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

### 4.0 Application requirements

24/06/2021
C83gpla

None specified.

### 5.0 Decision guidelines

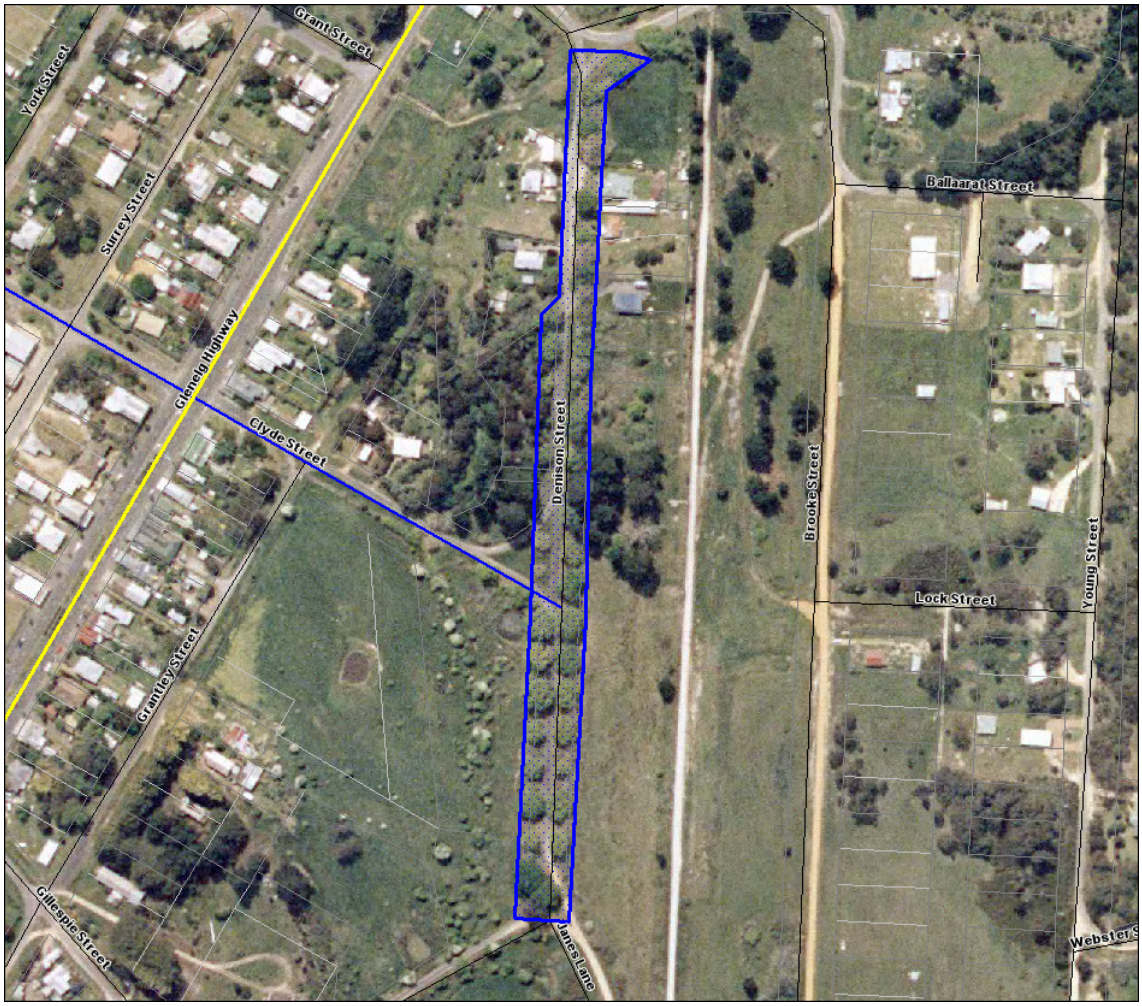
24/06/2021
C83gpla

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:

- The preservation and conservation of the *Ulmus procera* (English Elm) World War 1 Avenue of Honour.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees".*

## Map 1 to Schedule 6 to Clause 42.03

## Avenue of Honour Linton Significant Landscape Overlay area



24/06/2021
C83gpla

## SCHEDULE 7 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO7**.

**RECREATION RESERVE LINTON**

### 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

A public recreation reserve, gazetted in 1895, featuring significant perimeter plantings of early twentieth century *Pinus radiata* (Monterey Pine) trees.

### 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the Linton Recreation Reserve.

To protect and maintain the significant perimeter plantings of mature *Pinus radiata* trees as important landscape features.

### 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the early twentieth century *Pinus radiata* trees.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

### 4.0 Application requirements

24/06/2021
C83gpla

None specified.

### 5.0 Decision guidelines

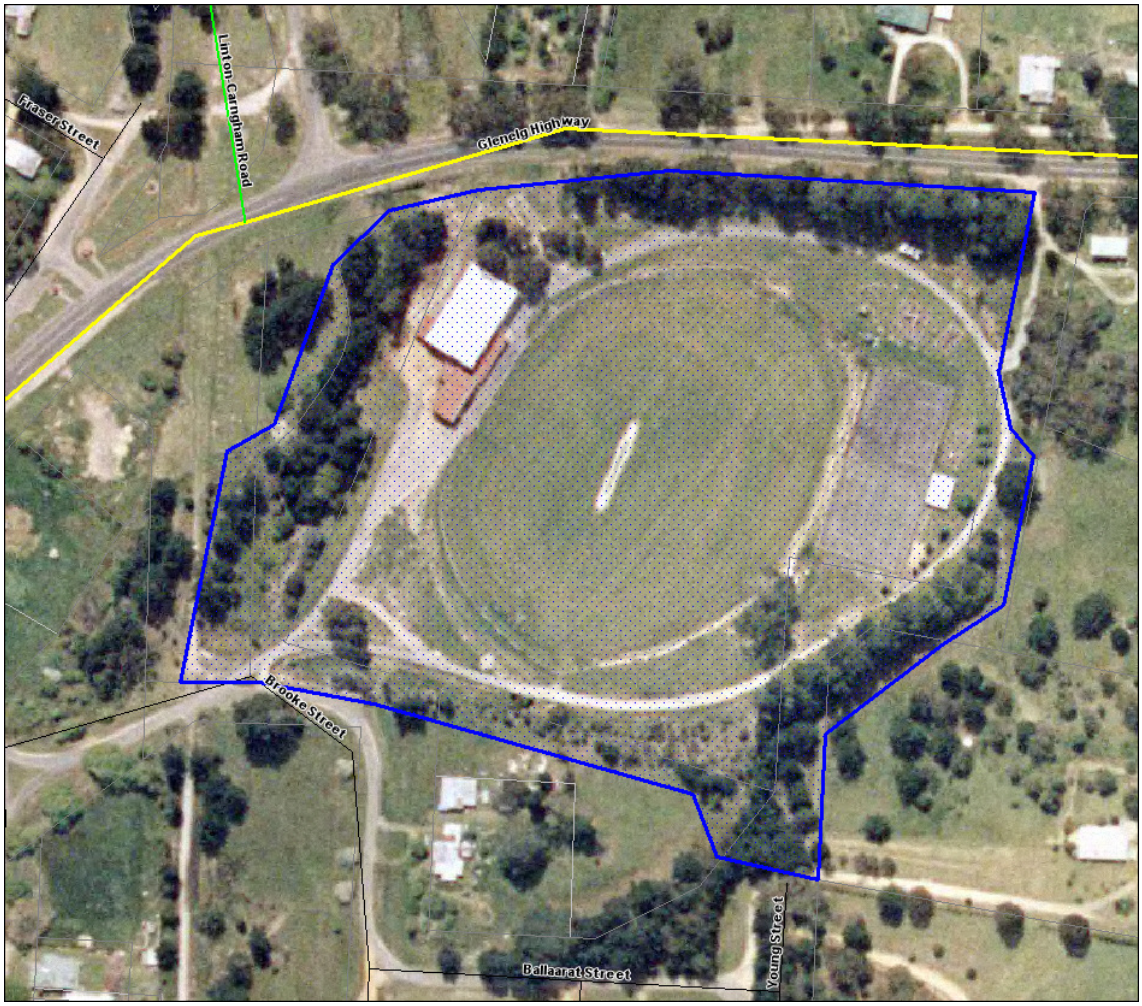
24/06/2021
C83gpla

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:

- The preservation and conservation of the early twentieth century *Pinus radiata* trees planted around the perimeter of the Linton Recreation Reserve.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees".*

## Map 1 to Schedule 7 to Clause 42.03

## Recreation Reserve Significant Landscape Overlay area



24/06/2021
C83gpla

## SCHEDULE 8 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO8**.

### MEREDITH CUPRESSUS MACROCARPA AVENUE – NORTH APPROACH

### 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

An extensive avenue of *Cupressus macrocarpa* (Monterey Cypress) signals the northern approach into Meredith.

### 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the *Cupressus macrocarpa* (Monterey Cypress) avenue as an important entrance feature into the township.

To protect and maintain *Cupressus macrocarpa* avenue as an important landscape feature.

### 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the *Cupressus Macrocarpa* avenue.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

### 4.0 Application requirements

24/06/2021
C83gpla

None specified.

### 5.0 Decision guidelines

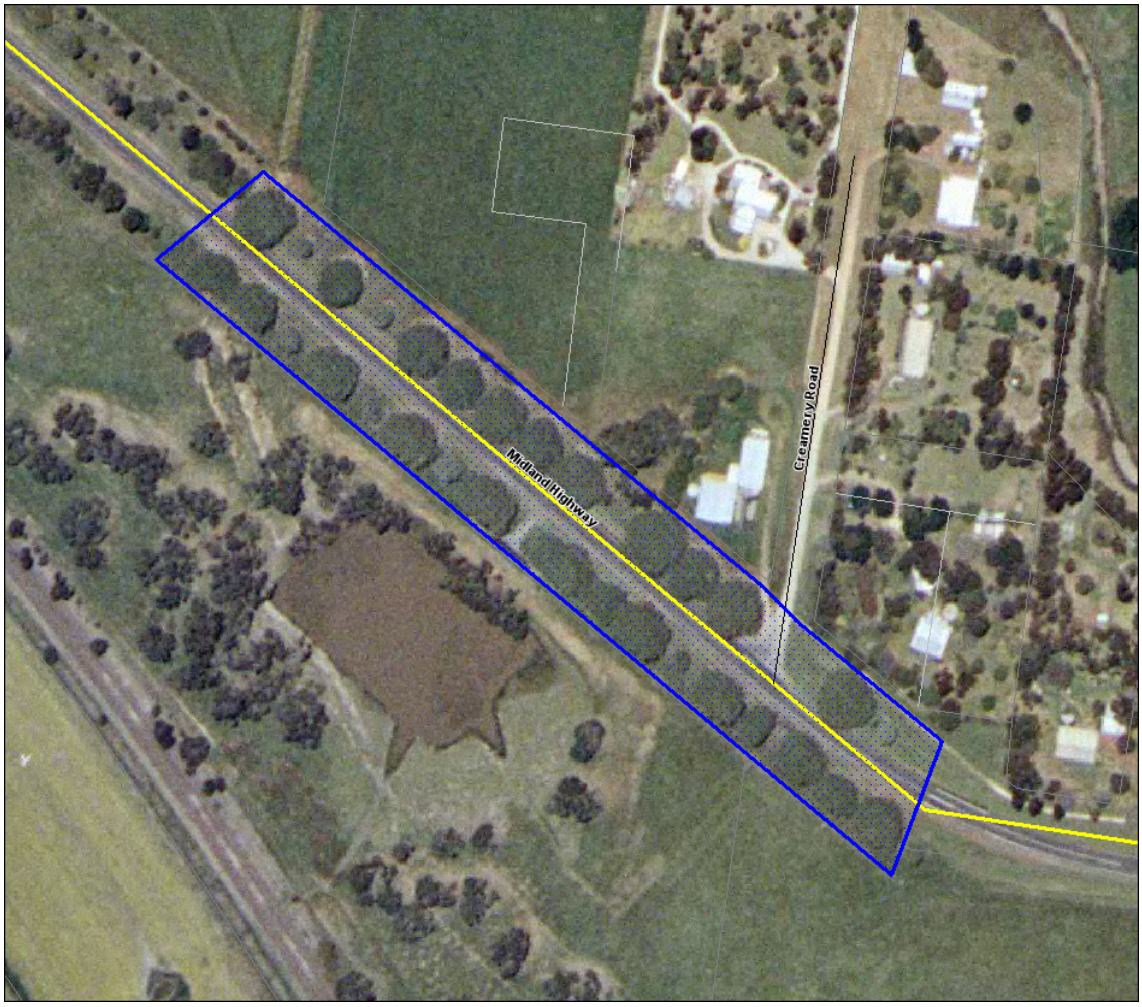
24/06/2021
C83gpla

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:

- The preservation of the landscape values of the *Cupressus macrocarpa* avenue.
- The conservation of significant stands of trees that provide dramatic entrance features into rural settlements.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees"*.

## Map 1 to Schedule 8 to Clause 42.03

## Meredith Cupressus Macrocarpa Avenue - North Approach Significant Landscape Overlay Area



24/06/2021
C83gpla

# SCHEDULE 9 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO9**.

## MEREDITH CUPRESSUS MACROCARPA AVENUE – SOUTH APPROACH

## 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

An extensive and mature avenue of *Cupressus macrocarpa* (Monterey Cypress) signals the southern approach into Meredith.

## 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the *Cupressus macrocarpa* (Monterey Cypress) avenue as an important entrance feature into the township.

To protect and maintain the *Cupressus macrocarpa* avenue as an important landscape feature.

## 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the *Cupressus Macrocarpa* avenue.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

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:

- The preservation of the landscape values of the *Cupressus macrocarpa* avenue.
- The conservation of significant stands of trees that provide dramatic entrance features into rural settlements.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees"*.

## Map 1 to Schedule 9 to Clause 42.03

## Meredith Cupressus Macrocarpa Avenue – South Approach Significant Landscape Overlay area

24/06/2021
C83gpla

# SCHEDULE 10 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO10**.

## SCARSDALE AVENUE OF HONOUR

## 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

A World War 2 Avenue of Honour comprising pollarded *Populus alba* (White Poplars) signals the northern approach along the Glenelg Highway into Scarsdale. The Scarsdale Avenue of Honour is of social and historical significance to the Golden Plains Shire as a site for community commemoration and a powerful landscape feature.

## 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the Scarsdale Avenue of Honour as a dramatic entrance feature into the township.

To protect and maintain the Scarsdale Avenue of Honour as an important landscape feature.

## 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the *Populus alba* (White Poplars Avenue of Honour.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

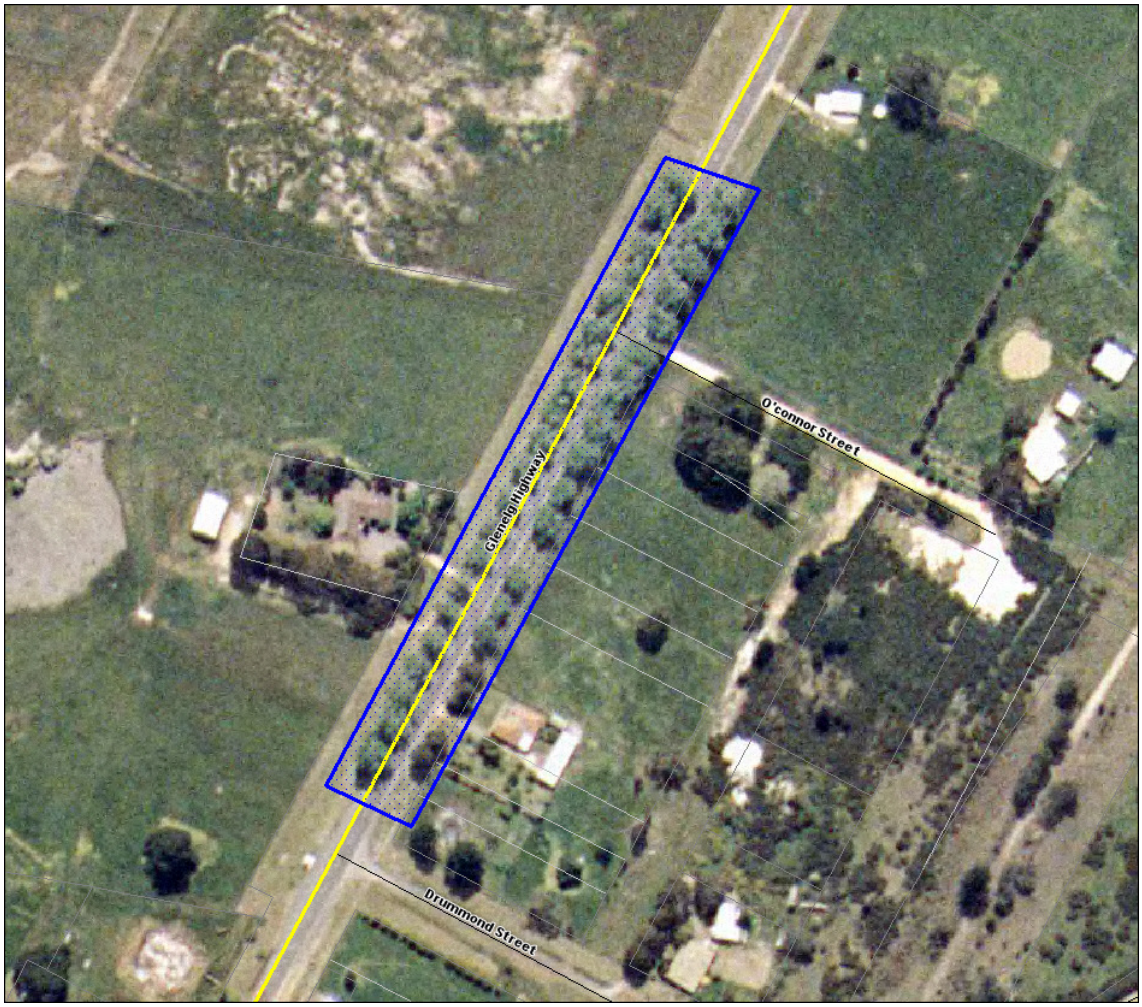
24/06/2021
C83gpla

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:

- The preservation of the landscape values of the Scarsdale Avenue of Honour.
- The conservation of significant stands of trees that provide dramatic entrance features into rural settlements.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees"*.

## Map 1 to Schedule 10 to Clause 42.03

## Scarsdale Avenue of Honour Significant Landscape Overlay area



24/06/2021
C83gpla

# SCHEDULE 11 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO11**.

**WORLD WAR 1 AVENUE OF HONOUR, NEWTOWN**

## 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

A World War 1 Avenue of Honour, planted in 1918 comprising Quercus (Oaks), and mid twentieth century inter plantings of mixed exotic trees, signals the southern approach along the Pitfield – Scarsdale Road into Newtown. The avenue is in poor condition with severe pruning, trees missing and varied ages. The most intact cluster is situated in proximity to the Scarsdale State School.

The Scarsdale Avenue of Honour is of social and historical significance to the Golden Plains Shire as a site for community commemoration and a powerful landscape feature.

## 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the World War 1 Avenue of Honour as a dramatic entrance feature into the township.

To protect and maintain the Scarsdale Avenue of Honour as an important landscape feature.

## 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the Quercus (Oak) avenue and the inter plantings of mixed exotic trees on either side of the Pitfield – Scarsdale Road.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

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:

- The preservation of the landscape values of the World War 1 Avenue of Honour.
- The conservation of significant stands of trees that provide dramatic entrance features into rural settlements.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees".*

## Map 1 to Schedule 11 to Clause 42.03

## World War 1 Avenue of Honour Significant Landscape Overlay area

24/06/2021
C83gpla

# SCHEDULE 12 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO12**.

**FORMER SMYTHESDALE BOTANIC GARDENS**

## 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

The former Botanic Gardens, established in the early 1860s shows several periods of planting, reflecting the parks changing use.

Significant plantings include: *Cupressus macrocarpa* (Monterey Cypress) *Quercus robur* (English Oak); *Cedrus deodara* (Deodar Cedar); *Pinus canariensis* (Canary Island Pine); *Pinus radiata* (Monterey Pine); *Pinus nigra* (Austrian Pine); *Pinus halapensis* (Aleppo Pine, also known as the 'Lone' Pine); *Eucalyptus globulus* (Tasmanian Bluegum); *Populus alba* (Silver Poplar).

## 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the Former Smythesdale Botanic Gardens.

To protect and maintain the significant plantings and open space comprising the Former Smythesdale Botanic Gardens as important landscape features.

## 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the significant plantings comprising the Former Smythesdale Botanic Gardens.

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

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:

- The preservation and conservation of the Former Smythesdale Botanic Gardens.
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees"*.

**Map 1 to Schedule 12 to Clause 42.03**

**Former Smythesdale Botanic Gardens Significant Landscape Overlay area**

24/06/2021
C83gpla

## SCHEDULE 13 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO13**.

**ROW OF 8 MACLURA POMIFERA (OSAGE ORANGE) AND PINUS PINEA (STONE PINE)**

### 1.0 Statement of nature and key elements of landscape

24/06/2021
C83gpla

A row of 8 *Maclura pomifera* (Osage Orange) trees and a *Pinus pinea* (Stone Pine), both dating from the late nineteenth century are situated inside the property boundary of 1087 Bannockburn-Shelford Road Teesdale.

### 2.0 Landscape character objectives to be achieved

24/06/2021
C83gpla

To recognise and protect the significant landscape values of the row of 8 *Maclura pomifera* (Osage Orange) trees and the *Pinus pinea* (Stone Pine).

To protect and maintain significant plantings as important landscape features in the township of Teesdale.

### 3.0 Permit requirement

28/07/2021
GC191

A permit is required to remove, prune or lop the *Maclura pomifera* (Osage Orange) trees or the *Pinus pinea* (Stone Pine).

A planning permit is not required for works and maintenance of roads, railways and highways controlled by the Head, Transport for Victoria or VicTrack, where an agreed vegetation management plan has been approved.

### 4.0 Application requirements

24/06/2021
C83gpla

None specified.

### 5.0 Decision guidelines

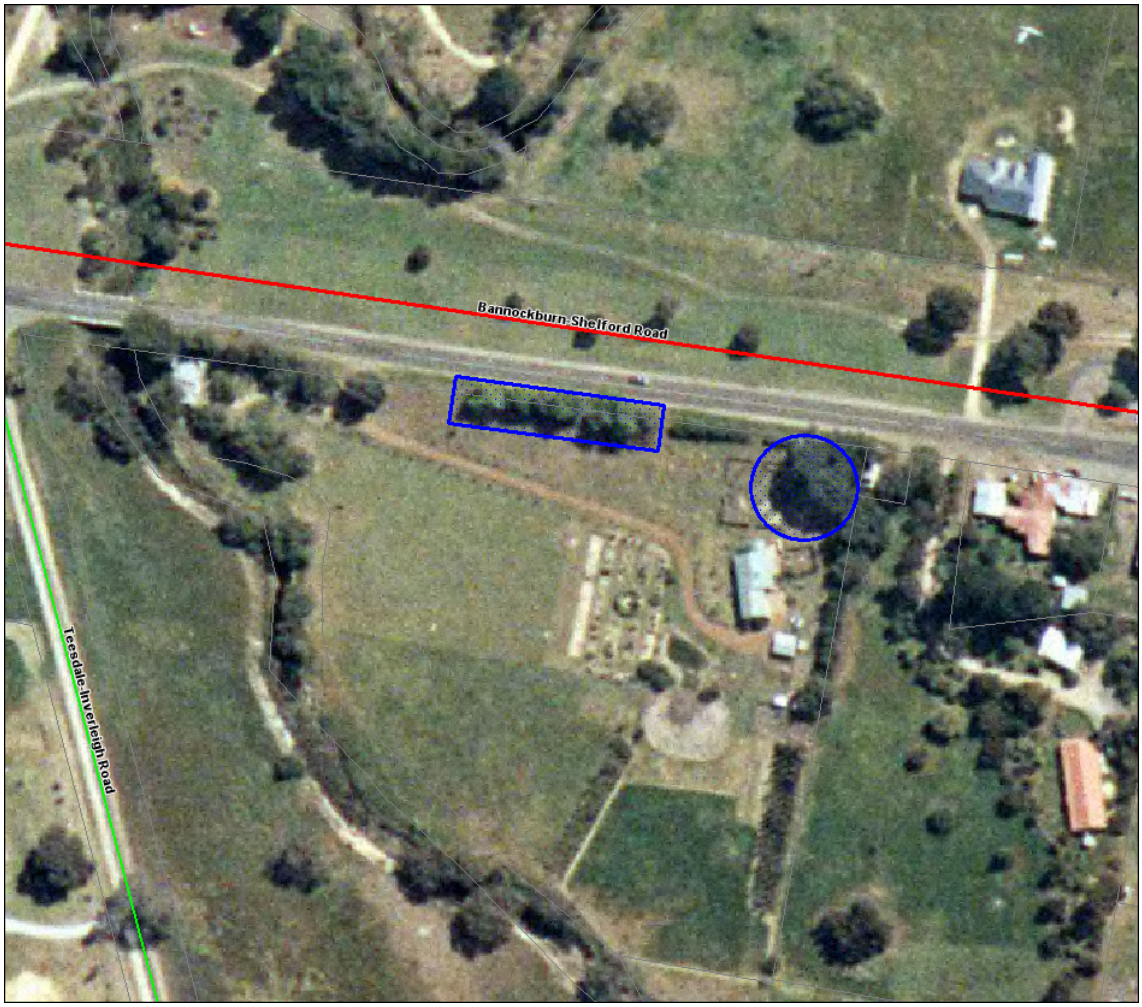
24/06/2021
C83gpla

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:

- The preservation and conservation of the *Maclura pomifera* (Osage Orange) trees and the *Pinus pinea* (Stone Pine).
- Whether the siting, bulk, form, design and use of materials of any proposed buildings or works will adversely impact the significance of the landscape values.
- Heritage Victoria's Heritage Overlay Guideline 9 - Landscapes, Gardens and Trees.
- *Australian Standard 4373 – 1996 "Pruning of Amenity Trees"*.

**Map 1 to Schedule 13 to Clause 42.03**

**Row of 8 Maclura pomifera (Osage orange) Significant Landscape Overlay area**



24/06/2021
C83gpla

# SCHEDULE 14 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO14**.

**BRISBANE RANGES & ROWSLEY SCARP ENVIRONS**

## 1.0 Statement of nature and key elements of landscape

20/12/2024
C102gpla

The Brisbane Ranges and Rowsley Scarp is a landscape of State significance, which includes the Brisbane Ranges National Park. The Brisbane Ranges comprise a series of low relief rises, dissected by rugged rocky gullies and gorges, and blanketed in thick tree cover. The Rowsley Scarp is a long tectonic fault line that sweeps from Bacchus Marsh in the north to past Anakie in the south, and forms the eastern edge of the Brisbane Ranges. The portion of this landscape that falls within the Golden Plains Shire primarily contains the forested hinterland of the Rowsley Scarp that falls to the south of the Brisbane Ranges National Park boundary. Agriculture and sustainable land management practices are a key element of the landscape and contribute to the character of the Brisbane Ranges and Rowsley Scarp Environs landscape.

The Brisbane Ranges are the traditional Country of the Wadawurrung people to whom it holds social, cultural and spiritual significance. The waterbodies, distinctive natural features and places of ecological value within this area are likely to have high significance for Aboriginal people. The Rowsley fault is one of the most obvious examples of a fault scarp in Victoria, providing an outstanding site for earth science teaching and research. Its escarpment is listed by the National Trust for its unique geological features and the presence of rare species. The Brisbane Ranges National Park is also a popular tourist destination.

## 2.0 Landscape character objectives to be achieved

20/12/2024
C102gpla

To conserve and enhance the significant landscape features of the Brisbane Ranges and Rowsley Scarp.

To maintain views from the viewing corridors to the Brisbane Ranges and Rowley Scarp, including the viewing corridors of Steiglitz and De Motts Roads.

To encourage the siting and design of development that is responsive to the landscape character.

To conserve and enhance indigenous vegetation corridors throughout the Brisbane Ranges and Rowsley Scarp Environs landscape, including the revegetation of cleared areas of the landscape utilising indigenous species to emphasise natural features such as ridges and watercourses.

To encourage appropriate siting and design of commercial timber production to ensure the distinctive topographical features of the Brisbane Ranges and Rowsley Scarp Environs is not adversely affected, or the timber production does not contrast with the vegetated edge of the National Park.

## 3.0 Permit requirement

24/06/2021
C83gpla

A permit is not required to construct or carry out any of the following:

- An alteration or extension to an existing dwelling provided the height of the alteration or extension is less than 5 metres in height above ground level and the floor area is less than 100 square meters.
- A building used for agriculture provided the height of the building is less than 5 metres above ground level and the floor area is less than 200 square meters.

A permit is required to:

- Construct a fence. This does not apply to a timber post and wire, timber post and railing, wire mesh (‘ringlock’), chainmesh or similar open rural style fence less than 1.8 metres in height.
- Remove, destroy or lop native vegetation. This does not apply to:

- The removal of vegetation that is dead. This exemption does not apply to standing dead trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
- The minimum extent of vegetation necessary for the maintenance of existing fences, to a combined maximum width of clearing for either side of the fence of 4 metres.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

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:

- The visible impact of building or works from major viewing corridors of Steiglitz and De Motts Roads.
- Whether the building or works are sited:
  - To maximise clustering of new buildings with existing buildings.
  - To avoid visually prominent locations such as ridgelines, escarpments and prominent hill faces and landscape features.
  - Among established vegetation and/or screened with substantial landscaping of locally appropriate species.
  - To follow the natural form of the landscape.
  - To minimise visual intrusion with setbacks of a sufficient distance from roads.
  - To be set back an adequate distance from watercourses.
- Where the siting of a building cannot be avoided on prominent hill faces and other steep locations, whether the building or works:
  - Is located in the lower one third of the visible slope.
  - Utilises existing or proposed new vegetation to screen it from view.
  - Is designed to follow the natural contour of the land or step down the slope to minimise earthworks.
  - Is articulated into separate building elements to avoid visually dominant elevations.
- Whether the building or works are designed:
  - Using simple, pared-back building forms and design detailing.
  - Utilising colours and finishes that best immerse the building within the landscape and minimise contrast with the surrounds.
  - Utilising materials and finishes that reduce distant visibility.
- The scale of a building and its impact on its surroundings, including its relationship to the existing or future tree canopy height.
- Whether the vegetation is isolated or part of a grouping of vegetation.

### Background document

South West Victoria Landscape Assessment Study (Planisphere, June 2013)

16/12/2022
VC201

# SCHEDULE 15 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO15**.

## RIVERS OF THE BARWON: YARROWEE RIVER (YAROWEE) CORRIDOR ENVIRONS

## 1.0 Statement of nature and key elements of landscape

16/12/2022
VC201

The Yarrowee River (Yarowee) forms part of the connected system of rivers within the Barwon catchment (Barre Warre Yulluk). The river has intrinsic spiritual connections and living cultural heritage significance to Wadawurrung Traditional Owners and is of high natural and landscape value.

Due to the topography and landscape of the river, bushfire is a present risk in some locations along the corridor.

The Yarrowee River commences at the Gong Gong Reservoir located to the north west of Ballarat (Ballaarat).

The landscape of the Yarrowee is highly varied, as it flows through the urbanised areas of Ballarat, characterised by engineered channels, including a large underground section between Ligar Street to Eastwood Street. From Eastwood Street to Redan, a bluestone lined channel continues before the river reverts to a natural waterway.

Even in highly modified reaches, the river passes through bush reserves of dry and grassy forest and areas of extensive revegetation and wetlands, providing different experiences along the corridor. In urban areas, riparian vegetation along channelised sections reinforces a natural connection and there are opportunities to repair and enhance the river and its interfaces.

The Yarrowee River Trail located alongside the river between the Gong Gong Reservoir Park and Magpie provides a recreation and open space corridor through Ballarat and varied vantage points to experience the river corridor.

From Ballarat the Yarrowee River winds its way through agricultural and rural landscapes, where the character is varied, including open river flats, steep escarpments, and rocky gorges. The river is generally set as a narrow channel with the riparian corridor forming a green spine and natural habitat through the landscape. At Mt Mercer, the river is characterised by gorges with steep embankments and remnant bushland including examples of River Red Gums (Biyal) and Yarra Gums. The river corridor provides important habitat for threatened species like the Platypus, Great Egret, Hairy and Western Burrowing Crayfish and the Powerful Owl.

At Mt Mercer, the Yarrowee River joins and transitions into the Leigh (Waywatcurtan) River.

## 2.0 Landscape character objectives to be achieved

16/12/2022
VC201

To enhance the continuous riparian corridor landscape.

To retain canopy trees as a dominant landscape feature and vegetation that contributes to landscape character, heritage values and neighbourhood character, ensuring it responds to the bushfire risk of a location.

To ensure buildings and works are not visually dominant when viewed from the waterway corridor.

To encourage buildings and works to be set back from the banks of the river to avoid overshadowing and visual intrusion within the landscape and maintain an open waterway corridor.

## 3.0 Permit requirement

16/12/2022
VC201

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if the buildings and works are:
  - sited more than 30 metres from the bank of the waterway,

  - with a height less than 6 metres above ground level, and
  - changing the ground level less than 600mm; or
  - carried out by, or on behalf of, a public land manager to:
    - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse;
    - construct stream habitat works;
    - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
    - maintain or repair a pathway or trail.
- Construct a fence within 30 metres of a waterway. This does not apply if all the following requirements are met:
  - In a residential zone (other than a Low Density Residential Zone), industrial zone or commercial zone:
    - The fence is not higher than 1.8 metres above ground level.
    - The fence allows for some visual transparency.
    - The fence design, materials and colour are appropriate to the landscape setting.
- In any other zone:
  - The fence is not higher than 1.4 metres above ground level.
  - The fence design, materials and colour are appropriate to the landscape setting.
- Remove, destroy, or lop native vegetation. This does not apply to:
  - Maintenance works carried out by, or on behalf of, a public land manager to remove, destroy, or lop native vegetation that has the capacity to adversely affect stream flow.
  - The creation of defendable space to reduce the risk of bushfire to life and property in bushfire prone areas.

The requirements of this schedule cease to have effect after 31 December 2026.

## 4.0 Application requirements

16/12/2022
VC201

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For an application to remove, destroy or lop native vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting and proposed maintenance plan to reduce bushfire risk.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of the banks of the waterway.
  - A site context plan and elevations showing:

- Building heights using Australian Height Datum measured from ground level.
- Areas of cut and fill.
- Site coverage and permeability.
- Location and proposed material for fences.

- A schedule of materials and finishes.
- A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
- A landscape plan which includes:
  - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
  - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of the Yarrowee River. The maintenance plan is to include proposed measures to reduce the risk of bushfire.
- Measures for how natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
- The rate and quantity of stormwater leaving a property and measures to control and filter pollutants.
- A report that identifies values, threats and undertakes a risk assessment for the river corridor.

## 5.0 Decision guidelines

16/12/2022
VC201

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the buildings or works have considered bushfire risk.
- Whether the proposed replacement planting will increase bushfire risk to life and property.

16/12/2022
VC201

# SCHEDULE 16 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO16**.

## RIVERS OF THE BARWON: LEIGH RIVER (WAYWATCURTAN) CORRIDOR ENVIRONS

## 1.0 Statement of nature and key elements of landscape

16/12/2022
VC201

The Leigh River (Waywatcurtan) forms part of the connected system of rivers within the Barwon catchment (Barre Warre Yulluk). The river has intrinsic spiritual connections and living cultural heritage significance to Wadawurrung Traditional Owners and is of high natural and landscape value.

Due to the topography and landscape of the river bushfire is a present risk in some locations along the corridor.

The landscape of the Leigh River commences at its junction with the Yarrowee River (Yarowee) at Mount Mercer and flows via Shelford, converging with the Barwon River (Parwan) at Inverleigh. Within this landscape the Leigh River is incised into volcanic plains in a channel of varying depths and widths across a broad valley with undulating hills.

The river corridor is visually open and generally sparsely vegetated; forming a green spine through the landscape with grassy forest and shrubland flanking the river. Riparian vegetation includes examples of River Red Gum (Biyal), Yarra Gum, Blackwood (Burn- naa-look) and Black (Toolain) and Silver Wattle. The river corridor provides important habitat for threatened species like the Platypus (Wad-dirring), Great Egret, Hairy and Western Burrowing Crayfish, and Growling Grass Frog.

Where the river passes through the rural townships of Inverleigh and Shelford, the riparian corridor narrows, and the landscape character is defined by Floodplain Riparian Woodlands bordered by semi-rural and low-density residential development.

Inverleigh is sited where the Leigh and Barwon rivers meet. The confluence is of high cultural value to Wadawurrung Traditional Owners and is characterised by a deep channel to the north and opening to a wider river where it meets the Barwon. River Red Gums (Biyal), the historic Lawson's Tree, open space, and walking trails make a significant contribution to the river setting

## 2.0 Landscape character objectives to be achieved

16/12/2022
VC201

To enhance the continuous riparian corridor landscape.

To retain indigenous riparian vegetation and canopy trees as a dominant landscape feature, ensuring it responds to the bushfire risk of a location.

To ensure buildings and works are not visually dominant when viewed from the waterway corridor.

To encourage buildings and works to be set back from the banks of the river to avoid overshadowing and visual intrusion within the landscape and maintain an open waterway corridor.

To ensure the location and size of earthworks minimises alterations to natural topography and is consistent with the landscape character.

## 3.0 Permit requirement

16/12/2022
VC201

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if the buildings and works are:
  - sited more than 30 metres from the bank of the waterway,
  - with a height less than 6 metres above ground level, and
  - changing the ground level less than 600mm; or

  - carried out by, or on behalf of, a public land manager to:
    - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse;
    - construct stream habitat works;
    - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
    - maintain or repair a pathway or trail.

- Construct a fence within 30 metres of a waterway. This does not apply if all the following requirements are met:
  - In a residential zone (other than a Low Density Residential Zone), industrial zone or commercial zone:
    - The fence is not higher than 1.8 metres above ground level.
    - The fence allows for some visual transparency.
    - The fence design, materials and colour are appropriate to the landscape setting.
  - In any other zone:
    - The fence is not higher than 1.4 metres above ground level.
    - The fence design, materials and colour are appropriate to the landscape setting.

- Remove, destroy, or lop native vegetation. This does not apply to:
  - Maintenance works carried out by, or on behalf of, a public land manager to remove, destroy, or lop native vegetation that has the capacity to adversely affect stream flow.
  - The creation of defendable space to reduce the risk of bushfire to life and property in bushfire prone areas.

The requirements of this schedule ceases to have effect after 31 December 2026.

## 4.0 Application requirements

16/12/2022
VC201

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For an application to remove, destroy or lop native vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting and proposed maintenance plan to reduce bushfire risk.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of the banks of the waterway.
  - A site context plan and elevations showing:
    - Building heights using Australian Height Datum measured from ground level.
    - Areas of cut and fill.

    - Site coverage and permeability.
    - Location and proposed material for fences.
- A schedule of materials and finishes.
- A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
- A landscape plan which includes:
    - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
    - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of the Leigh River. The maintenance plan is to include proposed measures to reduce the risk of bushfire.
- Measures for how natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
- The rate and quantity of stormwater leaving a property and measures to control and filter pollutants.
- A report that identifies values, threats and undertakes a risk assessment for the river corridor.

## 5.0 Decision guidelines

16/12/2022
VC201

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the buildings or works have considered bushfire risk.
- Whether the proposed replacement planting will increase bushfire risk to life and property.

16/12/2022
VC201

# SCHEDULE 17 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO17**.

## RIVERS OF THE BARWON: BARWON RIVER (PARWAN) CORRIDOR ENVIRONS

## 1.0 Statement of nature and key elements of landscape

16/12/2022
VC201

The Barwon River (Parwan) forms part of the connected system of rivers within the Barwon catchment (Barre Warre Yulluk). The river has intrinsic spiritual connections and living cultural heritage significance to Traditional Owners and is of high natural and landscape value.

Due to the topography and landscape of the river, bushfire is a present risk in some locations along the corridor.

The landscape of the main reach of the Barwon River commences at the confluence of the river's East and West Branches at Yeodene. The river then flows through Birregurra and Winchelsea and converges with the Leigh River (Waywatcurtan) at Inverleigh. From Inverleigh, it meets the Moorabool River (Mooroobull) at Fyansford.

The river generally flows across an open landscape of gently undulating hills, incised into the volcanic plans, set within channels of varying depths and widths. The agricultural and rural landscape is visually open and generally sparsely vegetated. Within this setting, the riparian corridor forms a green spine through the landscape with Floodplain Riparian Woodland and Shrublands flanking the river. Riparian vegetation includes examples of River Red Gums (Biyal), Blackwood (Burn-naa-look), and Silver Wattles. The riparian corridor provides important habitat for threaten species like the Platypus (Wad-dirring), Australian Grayling, and Yarra Pygmy Perch. In addition to indigenous species there are extensive examples of weeds, such as Willows and Glyceria which, at points, congest the river.

At Birregurra, the Barwon River is characterised by pockets of open space abutting the river and with evidence of river rehabilitation. At Winchelsea, the river flows through the centre of the town in a modest, vegetated channel where river restoration works have been undertaken.

At Inverleigh the river converges with the Leigh River. The confluence is of high cultural value to Wadawurrung Traditional Owners, and open space and walking trails characterise the river setting.

From Fyansford to Breakwater the river flows through Geelong (Djilang), with urban development located on both sides of the river. Through Geelong, the river is visually dominant and generally flanked by large open spaces and parklands. In some areas the setback to the corridor is reduced with development backing onto the river and there are opportunities to repair and enhance the river and its interfaces.

The river setting is an important characteristic of Geelong, with the natural riparian corridor forming a strong and distinct green spine through the urban landscape and comprising an important linear park network.

From Breakwater, the river flows into the Lake Connewarre (Connewarre) system, an area of high cultural significance to Wadawurrung Traditional Owners. The system forms a series of Ramsar protected lakes and wetlands, part of the Connewarre Wildlife Reserve. Through this area, the river is characterised by indigenous vegetation which supports the unique ecology of the region.

From the Lake Connewarre system, the river is fringed by mangroves and the beaches of Barwon Heads and Ocean Grove. The final section of the river is characterised by river channelling through sandbars and mudflats, and views of Barwon Bluff, Ingamells Bay and Bass Strait beyond.

## 2.0 Landscape character objectives to be achieved

16/12/2022
VC201

To enhance the continuous riparian corridor landscape.

To retain canopy trees as a dominant landscape feature and vegetation that contributes to landscape character, heritage values and neighbourhood character, ensuring it responds to the bushfire risk of a location.

To ensure buildings and works are not visually dominant when viewed from the waterway corridor.

To encourage buildings and works to be set back from the banks of the river to avoid overshadowing and visual intrusion within the landscape and maintain an open waterway corridor.

To ensure the location and size of earthworks minimises alterations to natural topography and is consistent with the landscape character.

## 3.0 Permit requirement

16/12/2022
VC201

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if the buildings and works are:
  - sited more than 30 metres from the bank of the waterway,
  - with a height less than 6 metres above ground level, and
  - changing the ground level less than 600mm; or
  - carried out by, or on behalf of, a public land manager to:
    - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse;
    - construct stream habitat works;
    - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
    - maintain or repair a pathway or trail.
- Construct a fence within 30 metres of a waterway. This does not apply if all the following requirements are met:
  - In a residential zone (other than Low Density Residential Zone), commercial zone or industrial zone:
    - The fence is not higher than 1.8 metres above ground level.
    - The fence allows for some visual transparency.
    - The fence design, materials and colour are appropriate to the landscape setting.
  - In any other zone:
    - The fence is not higher than 1.4 metres above ground level.
    - The fence design, materials and colour are appropriate to the landscape setting.
- Remove, destroy, or lop native vegetation. This does not apply to:
  - Maintenance works carried out by, or on behalf of, a public land manager to remove, destroy, or lop native vegetation that has the capacity to adversely affect stream flow.
  - The creation of defendable space to reduce the risk of bushfire to life and property in bushfire prone areas.

The requirements of this schedule ceases to have effect after 31 December 2026.

## 4.0 Application requirements

16/12/2022
VC201

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For an application to remove, destroy or lop native vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting and proposed maintenance plan to reduce bushfire risk.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of the banks of the waterway.
  - A site context plan and elevations showing:
    - Building heights using Australian Height Datum measured from ground level.
    - Areas of cut and fill.
    - Site coverage and permeability.
    - Location and proposed material for fences.
  - A schedule of materials and finishes.
  - A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
  - A landscape plan which includes:
    - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
    - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of the Barwon River. The maintenance plan is to include proposed measures to reduce the risk of bushfire.
  - Measures for how natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
  - The rate and quantity of stormwater leaving a property and measures to control and filter pollutants.
  - A report that identifies values, threats and undertakes a risk assessment for the river corridor.

## 5.0 Decision guidelines

16/12/2022
VC201

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the buildings or works have considered bushfire risk.
- Whether the proposed replacement planting will increase bushfire risk to life and property.

16/12/2022
VC201

# SCHEDULE 18 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO18**.

## RIVERS OF THE BARWON: MOORABOOL RIVER (MOOROOBULL) CORRIDOR ENVIRONS

## 1.0 Statement of nature and key elements of landscape

16/12/2022
VC201

The Moorabool River (Mooroobull) forms part of the connected system of rivers within the Barwon (Barre Warre Yulluk) catchment. The river has intrinsic spiritual connections and living cultural heritage significance to Wadawurrung Traditional Owners and is of high natural and landscape value.

Due to the topography and landscape of the river, bushfire is a present risk in some locations along the corridor.

The main reach of the Moorabool River commences at the confluence of the river's East and West branches at Morrisons and flows through Meredith, She Oaks, Maude, Lethbridge and Batesford, before joining the Barwon River (Parwan) at Fyansford.

The significant landscape of the Moorabool River is defined by its course which winds through a valley of undulating hills and gorges with steep escarpments. These escarpments protect bands of remnant vegetation, provide important habitat corridors, and reinforce the green spine through the wider landscape.

The landscape of the Moorabool River corridor is generally one of a rural and agricultural environment where most native vegetation has been cleared, leaving visually open and sparsely vegetated vistas. Within this setting, the riparian corridor forms a green spine through the landscape providing important habitat for threatened species like the Platypus, (Wad-dirring), Tussock Skink and Macquarie Perch.

Specific locations such as Bunjil's Lookout at Maude provide open vistas across the valley, while public reserves such as the Meredith Education Area provide a landscape of Grassy Forest and Shrubland set within the river valley.

In the middle reaches of the Moorabool River at Meredith there are examples of Grassy Forest which provide an enclosed and vegetated landscape setting. Dog Rocks Sanctuary at Batesford also provides important Shrubland and Floodplain Riparian Woodland flanking the river corridor.

In Batesford the river is channelled in sections as it is diverted around a quarry. While these sections are highly altered, they still provide a green spine and riparian corridor through the rolling and sparsely vegetated hills, and there are opportunities to repair and enhance the river and its interfaces.

At Fyansford the river is characterised by the contrast of steep escarpments and floodplains. Sections of the Hamilton Highway on the northern escarpment of the river provide significant views across the river.

The confluence of the Moorabool and Barwon rivers at Redgum Island is a culturally significant place to Wadawurrung Traditional Owners.

## 2.0 Landscape character objectives to be achieved

16/12/2022
VC201

To enhance the continuous riparian corridor landscape.

To retain indigenous riparian vegetation and canopy trees as a dominant landscape feature, ensuring it responds to the bushfire risk of a location.

To ensure buildings and works are not visually dominant when viewed from the waterway corridor.

To encourage buildings and works to be set back from the banks of the river to avoid overshadowing and visual intrusion within the landscape and maintain an open waterway corridor.

To ensure the location and size of earthworks minimises alterations to natural drainage and is consistent with the landscape character.

## 3.0 Permit requirement

16/12/2022
VC201

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if the buildings and works are:
  - sited more than 30 metres from the bank of the waterway,
  - with a height less than 6 metres above ground level, and
  - changing the ground level less than 600mm; or
  - carried out by, or on behalf of, a public land manager to:
    - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse;
    - construct stream habitat works;
    - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
    - maintain or repair a pathway or trail.
- Construct a fence within 30 metres of a waterway. This does not apply if all the following requirements are met:
  - In a residential zone (other than a Low Density Residential Zone), industrial zone or commercial zone:
    - The fence is not higher than 1.8 metres above ground level.
    - The fence allows for some visual transparency.
    - The fence design, materials and colour are appropriate to the landscape setting.
  - In any other zone:
  - The fence is not higher than 1.4 metres above ground level.
  - The fence design, materials and colour are appropriate to the landscape setting.
- Remove, destroy, or lop native vegetation. This does not apply to:
  - Maintenance works carried out by, or on behalf of, a public land manager to remove, destroy, or lop native vegetation that has the capacity to adversely affect stream flow.
  - The creation of defendable space to reduce the risk of bushfire to life and property in bushfire prone areas.

The requirements of this schedule ceases to have effect after 31 December 2026.

## 4.0 Application requirements

16/12/2022
VC201

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For an application to remove, destroy or lop native vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.

- A plan detailing the location of any new and replacement planting and proposed maintenance plan to reduce bushfire risk.

- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of the banks of the waterway.
  - A site context plan and elevations showing:
    - Building heights using Australian Height Datum measured from ground level.
    - Areas of cut and fill.
    - Site coverage and permeability.
    - Location and proposed material for fences.
  - A schedule of materials and finishes.
  - A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
  - A landscape plan which includes:
    - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
    - A maintenance/weed/erosion control plan for all proposed revegetated areas for areas immediately adjacent to the banks of the Moorabool River. The maintenance plan is to include proposed measures to reduce the risk of bushfire.
  - Measures for how natural landforms will be protected, including appropriate approaches to vegetation retention and planting, ground preparation and minimising ground disturbance.
  - The rate and quantity of stormwater leaving a property and measures to control and filter pollutants.
  - A report that identifies values, threats and undertakes a risk assessment for the river corridor.

## 5.0 Decision guidelines

16/12/2022
VC201

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the buildings or works have considered bushfire risk.
- Whether the proposed replacement planting will increase bushfire risk to life and property.

# 43 HERITAGE AND BUILT FORM OVERLAYS

19/01/2006
VC37

## 43.01 HERITAGE OVERLAY

31/07/2018
VC148

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

### Purpose

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

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

### Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

## 43.01-1 Permit requirement

16/10/2025
VC288

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 | Provision |
|---|---|
| ▪ Subdivide land to realign the common boundary between two 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. | Clause 59.07 |
| ▪ Subdivide land into lots each containing an existing building or car parking space where:<br>– The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>– An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. | |
| ▪ Subdivide land into two lots if: | |

| Class of application | Provision |
|---|---|
| – 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.<br>– The construction or carrying out of the approved building or works on the land has started lawfully.<br>– The subdivision does not create a vacant lot.<br>▪ 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.<br>▪ Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.<br>▪ Externally alter a non-contributory building.<br>▪ External painting.<br>▪ Construct a fence.<br>▪ Construct a carport, garage, pergola, verandah, deck, shed or similar structure.<br>▪ Construct and install domestic services normal to a dwelling.<br>▪ Construct and install a non-domestic disabled access ramp.<br>▪ Construct a vehicle crossover.<br>▪ Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.<br>▪ Construct a rainwater tank.<br>▪ Construct or display a sign.<br>▪ Lop a tree.<br>▪ Construct or install a solar energy system attached to a dwelling or small second dwelling.<br>▪ Construct and install an electric vehicle charging station.<br>▪ 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. | |
| Subdivide land into two lots if:<br>▪ A permit has been issued under a provision of a residential zone to construct up to two dwellings on the land and the permit has not expired.<br>▪ Each lot will contain either:<br>– one existing dwelling; or<br>– one dwelling permitted to be constructed in accordance with the permit. | Clause 59.07 |

## 43.01-2 Places in the Victorian Heritage Register

21/11/2017
VC141

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

### Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

### Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.

## 43.01-3 No permit required

14/12/2023
VC253

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 Exemption from notice and review

14/01/2025
VC237

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 Statements of significance

24/01/2020
VC160

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

### 43.01-6 Heritage design guidelines

31/07/2018
VC148

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

### 43.01-7 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in the schedule to this overlay.

### 43.01-8 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.

- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.

## 43.01-9 Use of a heritage place

31/07/2018
VC148

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

## 43.01-10 Aboriginal heritage places

31/07/2018
VC148

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*.

28/02/2019
GC117

# SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

## 1.0 Application requirements

20/12/2024
C102gpla

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:

An application for demolition of locally significant or contributory heritage places within a precinct must be accompanied by the following information, as appropriate:

- A structural engineering report demonstrating why demolition is necessary.
- A report or statement to the satisfaction of the Responsible Authority that demonstrates that the demolition will not adversely impact upon the significance of the place.
- An application for the replacement development.
- An arboricultural assessment and heritage impact assessment for any heritage place identified in the schedule that includes tree controls.
- A heritage impact assessment for any proposed development that may affect a significant heritage place.

## 2.0 Heritage places

20/03/2023
VC229

The requirements of this overlay apply to both the heritage place and its associated land.

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO1 | Cameron Hill, 25 Brislanes Road, Murgheboluc | - | - | - | - | - | Yes<br>Ref No<br>H792 | Yes | No |
| HO2 | Bannockburn Railway Station, Clyde Road, Bannockburn | - | - | - | - | - | Yes<br>Ref No<br>H1560 | Yes | No |
| HO3 | Bannockburn Railway Station (Balance), Clyde Road, Bannockburn | No | No | Yes | Yes | No | No | No | No |
| HO4 | Glenfine Homestead Precinct, 150 Glenfine Road, Werneth | - | - | - | - | - | Yes<br>Ref No<br>H1206 | Yes | No |
| HO5 | Laurence Park Homestead, 56 Buchter Road (off Midland Highway) Batesford | - | - | - | - | - | Yes<br>Ref No<br>H887 | Yes | No |
| HO6 | Cast Iron Mileposts, Pitfield-Scarsdale Road, Cape Clear and Rokewood-Skipton Road, Pitfield | - | - | - | - | - | Yes<br>Ref No<br>H1702 | No | No |
| HO7 | State School No. 330, Hamilton Highway, Inverleigh | Yes | Yes | No | Yes | No | No | No | No |
| HO8 | Prefabricated Iron Cottage, 24 Weatherboard Road, Inverleigh | - | - | - | - | - | Yes | Yes | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| | | | | | | | Ref No H880 | | |
| HO9 | Railway Station, Ackland Street, Lethbridge | Yes | No | No | Yes | No | No | No | No |
| HO10 | Moranghurk, 3320 Midland Highway, Lethbridge | - | - | - | - | - | Yes Ref No H266 | Yes | No |
| HO11 | Darra, 490 Slate Quarry Road, Meredith | - | - | - | - | - | Yes Ref No H268 | Yes | No |
| HO12 | Old Bridge over Ferrers Creek, between Geelong and Rokewood, Rokewood | Yes | No | No | Yes | No | No | No | No |
| HO13 | Iron Road Bridge Over Leigh River, Shelford-Bannockburn Road, Shelford | - | - | - | - | - | Yes Ref No H1452 | No | No |
| HO14 | Former Steiglitz Court House, Steiglitz Road, Steiglitz | - | - | - | - | - | Yes Ref No H1487 | Yes | No |
| HO15 | Road Bridge (former) over Moorabool River on the Midland Highway, Batesford | - | - | - | - | - | Yes Ref No H1115 | No | No |
| HO17 | Darriwill, 400 Bakers Bridge Road, Sutherlands Creek | Yes | No | Yes | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO18 | Gaol (former) Crown Allotment 4 Section E, Victor Street, Bannockburn | Yes | Yes | No | Yes | No | No | Yes | No |
| HO20 | Barunah Plains, 4484 Hamilton Highway, Hesse | - | - | - | - | - | Yes<br>Ref No<br>H2313 | Yes | No |
| HO21 | Inverleigh Hotel, 1 High Street, Inverleigh | Yes | No | No | Yes | No | No | No | No |
| HO22 | Presbyterian Church, 48 High Street, Inverleigh | Yes | No | No | Yes | No | No | No | No |
| HO23 | Sutherlands Creek Engraving Area, Pringles Bridge Road, Maude | Yes | No | No | Yes | No | No | No | Yes |
| HO24 | Leigh Grand Junction Road Bridge, Meredith-Mount Mercer Road, Mount Mercer | Yes | No | No | Yes | No | No | No | No |
| HO25 | Meredith Railway Station, Staughton Street, Meredith | Yes | No | No | Yes | No | No | No | No |
| HO26 | Meredith Shire Hall (former), 31 Staughton Street, Meredith | Yes | No | No | Yes | No | No | No | No |
| HO27 | Woodbourne Homestead, Boundary Road, Meredith | Yes | Yes | Yes | Yes | Yes - Stables | No | Yes | No |
| HO29 | Kuruc-a-ruc Homestead and Outbuildings, Kuruc-a-ruc Road, Rokewood | Yes | Yes | Yes | Yes | Yes | No | Yes | No |
| HO30 | Rokewood Stone Arrangement, Rokewood | No | No | No | Yes | No | No | No | Yes |
| HO31 | Golf Hill Homestead and Outbuildings, 1718 Bannockburn-Shelford Road, Bannockburn | Yes | Yes | Yes | Yes | Yes | No | Yes | No |
| HO34 | Steiglitz Heritage Precinct | Yes | No | Yes | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO36 | Brachychiton populneus (Kurrajong), Steiglitz Cottage, 22 Staughton Street, Meredith | No | No | Yes | Yes | No | No | No | No |
| HO46 | Rosamond (former Somerset Inn), 82 Bannockburn-Shelford Road, Bannockburn | Yes | No | No | Yes | No | No | No | No |
| HO50 | St Paul's Anglican Church Complex, 38 High Street, Inverleigh | Yes- church building only | Yes- church building only | No | Yes | No | No | Yes | No |
| HO52 | Methodist Church, 23 Dundas Street, Inverleigh | Yes | No | No | Yes | No | No | No | No |
| HO53 | Lawsons (former Horseshoe Inn) East Street, Inverleigh | Yes | No | No | Yes | No | No | Yes | No |
| HO54 | Road Bridge, Quarry Road, Lethbridge | Yes | No | No | Yes | No | No | No | No |
| HO55 | Native Creek No. 1 Run (former) and Moranghurk Woolshed (former), "Morbrook" 1820 Meredith-Shelford Road | Yes | No | No | Yes | No | No | No | No |
| HO58 | Church of the Epiphany, 7 Wallace Street, Meredith | Yes | Yes | No | Yes | Yes- Hall | No | Yes | No |
| HO59 | Former Clyde Flour Mill and Managers Residence, 470 Russell's Bridge Road, Russell's Bridge | Yes | Yes | Yes | Yes | Yes – Former Mill | No | Yes | No |
| HO60 | Minogues Store (former) and Residence, 1 Clow Street, Steiglitz | Yes | No | Yes | Yes | No | No | No | No |
| HO61 | Rokewood Presbyterian Church Complex, 60 Ferrars Street, Rokewood | Yes (church building only) | Yes (church building only) | No | Yes | No | No | Yes | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO62 | Leigh Presbyterian Church, 1716 Bannockburn-Shelford Road, Shelford | Yes (church building only) | Yes (church building only) | No | Yes | No | No | Yes | No |
| HO63 | Primary School No. 379, 1727 Bannockburn-Shelford Road, Shelford | Yes | No | No | Yes | No | No | No | No |
| HO64 | Methodist Chapel, 31 Thomson Street, Shelford | Yes | No | No | Yes | No | No | No | No |
| HO65 | Stand Pipe and Trough, Happy Valley Road, Happy Valley | Yes | No | No | Yes | No | No | No | No |
| HO66 | Ross Creek Chapel (former), 377 Spratlings Road, Ross Creek | Yes | No | No | Yes | No | No | No | No |
| HO67 | Court House Hotel, 63 Brooke Street, Smythesdale | Yes | No | No | Yes | No | No | No | No |
| HO68 | Police Station, Stables and Lock-up (former), 62 Brooke Street, Smythesdale | Yes-stables and lock up buildings only | Yes-stables and lock up buildings only | No | Yes | No | No | Yes | No |
| HO69 | Smythesdale Court House (former), 64 Brooke Street, Smythesdale | - | - | - | - | - | Yes<br>Ref No<br>H1653 | Yes | No |
| HO70 | Stone Mile Posts, Glenelg Highway, Smythesdale | - | - | - | - | - | Yes<br>Ref No<br>H1701 | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO71 | St Agnes Anglican Church, Berrybank-Wallinduc Road, Wallinduc | Yes | No | No | Yes | No | No | No | No |
| HO72 | The Viaduct (cottage), off Hills Road, Batesford | Yes | No | No | Yes | No | No | No | No |
| HO73 | Chaumont Homestead Complex, 900 Midland Highway Batesford | Yes | No | No | Yes | No | No | No | No |
| HO74 | Korong Farm, 241 Bakers Bridge Road, Gheringhap | Yes | No | No | Yes | No | No | No | No |
| HO75 | Bluestone Villa, 150 Bakers Bridge Road, Gheringhap | Yes | No | No | Yes | No | No | No | No |
| HO76 | Carrah Mill, 2565 Hamilton Highway, Inverleigh | Yes | No | No | Yes | No | No | No | No |
| HO77 | Tower Hill Homestead, 49 Peel Road, Inverleigh | Yes | No | No | Yes | No | No | No | No |
| HO78 | War memorials and Lone Pine, Road Reserve, south west corner of High and Railway Streets, Inverleigh | Yes | No | Yes | Yes | No | No | No | No |
| HO79 | Clyde Company Station (former), 37 Spiller Road, Lethbridge | Yes | Yes | No | Yes | No | No | No | No |
| HO82 | Burnside Homestead, 653 Burnside Road, Murgheboluc | Yes | No | No | Yes | No | No | No | No |
| HO83 | Former Black Lead Uniting Church and Hall, 5050 Colac-Ballarat Road, Cambrian Hill | - | - | - | - | - | Yes<br>Ref No<br>H2173 | Yes | No |
| HO84 | Road Bridge over Leigh River, Russell's Road, Russell's Bridge | Yes | No | No | Yes | No | No | No | No |
| HO85 | Clyde Company Station, 140 Clyde Hill Road, Russell's Bridge | Yes | No | No | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO86 | Wurrook Homestead, 480 Wurrook Road, Rokewood | Yes | No | Yes | Yes | No | No | No | No |
| HO89 | Former Leigh Shire Hall and Toll House, 1372 Rokewood-Shelford Road, Shelford | - | - | - | - | - | Yes<br>Ref No<br>H2274 | Yes | No |
| HO90 | Surface Hill Hydraulic Gold Sluicing Pit, Surface Hill Road, Smythesdale | - | - | - | - | - | Yes<br>Ref No<br>H1226 | No | No |
| HO91 | McMillans Bridge, over Little Woady Yallock River, Rokewood-Skipton Road, Rokewood and Werneth | - | - | - | - | - | Yes<br>Ref No<br>H1847 | No | No |
| HO92 | Railway Viaduct, over Moorabool River, Ballarat-Geelong Line, Batesford | - | - | - | - | - | Yes<br>Ref No<br>H1105 | No | No |
| HO93 | Jubilee Company Quartz Gold Mine, Jubilee Historic Reserve and Jubilee Road, Staffordshire Reef. | - | - | - | - | - | Yes<br>Ref No<br>H1762 | No | No |
| HO94 | Moranghurk (Balance), Midland Highway, Lethbridge | No | No | No | Yes | No | No | No | No |
| HO95 | Bannockburn Heritage Precinct | No | No | No | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| | **Statement of significance:**<br>Bannockburn Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2019) | | | | | | | | |
| HO96 | Corindhap Heritage Precinct<br>**Statement of significance:**<br>Corindhap Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | Yes | Yes | No | No | No | No |
| HO97 | Inverleigh Heritage Precinct<br>**Statement of significance:**<br>Inverleigh Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | Yes - 6 High Street: Pinus pinea (Stone Pine). 9b High Street (at rear): Ulmus prosera (Elm) | Yes | No | No | No | No |
| HO98 | Lethbridge Heritage Precinct<br>**Statement of significance:**<br>Lethbridge Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | No | Yes | No | No | No | No |
| HO99 | Linton Heritage Precinct | No | No | No | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| | **Statement of significance:**<br>Linton Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | | | | | | | | |
| HO100 | Meredith Heritage Precinct<br>**Statement of significance:**<br>Meredith Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | No | Yes | No | No | No | No |
| HO101 | Rokewood Heritage Precinct<br>**Statement of significance:**<br>Rokewood Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | No | Yes | No | No | No | No |
| HO102 | Scarsdale-Newtown Heritage Precinct<br>**Statement of significance:**<br>Newtown Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | No | Yes | No | No | No | No |
| HO103 | Shelford Heritage Precinct<br>**Statement of significance:**<br>Shelford Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | Yes | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO104 | Smythesdale Heritage Precinct<br><br>**Statement of significance:**<br>Smythesdale Heritage Precinct Statement of Significance (Golden Plains Shire Council, 2020) | No | No | No | Yes | No | No | No | No |
| HO105 | Mount Misery Creek Bridge, Snowgum Road, Berringa | No | No | No | Yes | No | No | No | No |
| HO106 | St Aiden's Church of England, Snowgum Road, Berringa | Yes | Yes | No | Yes | No | No | No | No |
| HO107 | Berringa State School No. 905 (former), 20 Berringa Road, Berringa | No | No | Yes | Yes | No | No | No | No |
| HO108 | William Fancy Company Mining Complex, Sykes Road, Berringa | No | No | No | Yes | No | No | No | No |
| HO109 | Cape Clear Cemetery, Cemetery Road, Cape Clear | No | No | Yes | Yes | No | No | No | No |
| HO110 | Corindhap State School No. 1906 (former), 39 School Road, Corindhap | Yes | No | Yes | Yes | Yes | No | No | No |
| HO111 | Outlet towers, former caretakers residence and workers cottage at the Stony Creek Reservoir System, 2830 Geelong-Ballan Road, Durdidwarrah | No | No | No | Yes | No | No | No | No |
| HO112 | Garibaldi State School No. 2173 (former), Hardies Hills Road, Garibaldi | Yes | No | Yes | Yes | No | No | No | No |
| HO113 | Horse Trough and Standpipe, Ross Creek Haddon Road, Haddon | No | No | No | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO114 | Haddon Memorial Reserve, Memorial Drive, Haddon | No | No | No | Yes | No | No | No | No |
| HO115 | Timber Trestle Bridge over Springdallah Creek, Happy Valley Road, Happy Valley | No | No | No | Yes | No | No | No | No |
| HO116 | Lullote Homestead, 385 Common Road, Inverleigh | Yes | No | Yes | Yes | Yes-Stables | No | Yes | No |
| HO117 | Sacred Heart Catholic Church, 70 High Street, Inverleigh | Yes | Yes | Yes | Yes | No | No | No | No |
| HO118 | Inverleigh Public Hall and Former Mechanics Institute, 71 High Street, Inverleigh | Yes | Yes | No | Yes | No | No | No | No |
| HO119 | Timber Railway Bridge, Peel Road, Inverleigh | No | No | No | Yes | No | No | No | No |
| HO120 | Former Railway Water Tank and Recreation Reserve, Lethbridge | No | No | No | Yes | No | No | No | No |
| HO121 | Lethbridge State School No. 1386, 2846 Midland Highway, Lethbridge | Yes | No | No | Yes | No | No | Yes | No |
| HO122 | St Mary's Catholic Church, 2779 Midland Highway, Lethbridge | Yes | No | No | Yes | Yes | No | No | No |
| HO123 | Bluestone Bridge over Bruce's Creek, Russell Street, Lethbridge | No | No | No | Yes | No | No | No | No |
| HO124 | Linton Park Homestead, 49 Linton-Naringhil Road, Linton | Yes | No | Yes | Yes | Yes | No | No | No |
| HO125 | Linton Cemetery, Linton-Carngham Road, Linton | No | No | Yes | Yes | No | No | No | No |
| HO126 | St Peters Catholic Church and Presbytery, 30 Cumberland Street, Linton | Yes | Yes | Yes | Yes | Yes | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO127 | Former Presbyterian Church, 9 Linton-Mannibadar Road, Linton | Yes | No | Yes | Yes | Yes | No | No | No |
| HO128 | Linton Public Library, 67 Sussex Street, Linton | Yes | Yes | No | Yes | No | No | Yes | No |
| HO129 | Emu Hill Homestead Complex, 680 Linton-Naringhil Road, Linton | Yes | No | No | Yes | Yes - Stables | No | No | No |
| HO130 | Mannibadar Soldier's Memorial Hall, 1444 Rokewood-Skipton Road, Mannibadar | Yes | No | No | Yes | No | No | No | No |
| HO131 | Former Free Presbyterian Church, 4450 Midland Highway, Meredith | Yes | Yes | No | Yes | No | No | No | No |
| HO132 | Meredith State School No. 1420 and Community House, 5 Wallace Street, Meredith | Yes | No | Yes | Yes | Yes | No | No | No |
| HO133 | St Josephs Catholic Church, Lawler Street, Meredith | Yes | Yes | No | Yes | Yes | No | No | No |
| HO134 | St Andrews Uniting Church and Manse, 28-30 Wallace Street, Meredith | Yes | No | Yes | Yes | Yes | No | No | No |
| HO135 | Meredith Cemetery, Slate Quarry Road, Meredith | No | No | Yes | Yes | No | No | No | No |
| HO136 | Viewbank, 2219 Hamilton Highway, Murgheboluc | Yes | No | No | Yes | Yes | No | No | No |
| HO137 | St Andrews Church and Stone Pines, Hamilton Highway, Murgheboluc | Yes | No | Yes | Yes | No | No | No | No |
| HO138 | Murgheboluc Public Hall and Reserve, Hamilton Highway, Murgheboluc | Yes | No | Yes | Yes | No | No | No | No |
| HO139 | Athelston, 2025 Hamilton Highway, Murgheboluc | Yes | No | No | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO140 | Poplars, CA G SEC 3 Hamilton Highway, Murgheboluc | No | No | Yes | Yes | Yes | No | No | No |
| HO141 | Edglestone, 1910 Hamilton Highway, Murgheboluc | Yes | No | Yes | Yes | No | No | No | No |
| HO142 | Butleigh, 1754 Hamilton Highway, Murgheboluc | No | No | Yes | Yes | Yes | No | No | No |
| HO143 | Former Police Station and Residence, 4835 Colac-Ballarat Road, Napoleons | No | No | No | Yes | Yes- Stables | No | No | No |
| HO144 | Piggoreet West Homestead Complex, 909 Linton-Piggoreet Road, Piggoreet | Yes | No | Yes | Yes | Yes - Stables | No | No | No |
| HO145 | St Patricks Catholic Church, 900 Scarsdale-Pitfield Road, Springdallah | Yes | Yes | No | Yes | No | No | No | No |
| HO146 | Rokewood Cemetery, Cemetery Road, Rokewood | No | No | Yes | Yes | No | No | No | No |
| HO147 | Former Police Station and Residence, 42 Ferrars Street, Rokewood | Yes | No | No | Yes | Yes | No | No | No |
| HO148 | St Patricks Catholic Church, 74A Colac-Ballarat Road, Rokewood | Yes | Yes | Yes | Yes | No | No | No | No |
| HO149 | Former Presbyterian Church, 143 Clyde Hill Road, Russells Bridge | Yes | No | No | Yes | No | No | No | No |
| HO150 | Russells Bridge State School No. 530 (former), 139 Clyde Hill Road, Russells Bridge | Yes | No | Yes | Yes | No | No | No | No |
| HO152 | Rock Rose Cottage, 1920 Glenelg Highway, Scarsdale | Yes | No | Yes | Yes | No | No | No | No |
| HO153 | Heatherbrae, 5 Station Street, Scarsdale | Yes | No | Yes | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO154 | Former Methodist Manse, 12 Carlyle Street, Scarsdale | Yes | No | No | Yes | No | No | No | No |
| HO155 | Scarsdale State School No. 980 and Memorial Gates, 149 Scarsdale-Pitfield Road, Newtown | No | No | Yes | Yes | No | No | No | No |
| HO156 | Former Presbyterian Manse, 999 Inverleigh-Shelford Road, Shelford | Yes | No | No | Yes | No | No | No | No |
| HO157 | Leighburn Homestead, 1567 Bannockburn-Shelford Road, Shelford | No | No | Yes | Yes | No | No | No | No |
| HO158 | Presbyterian Manse, 31 Mercer Street, Shelford | Yes | No | Yes | Yes | No | No | Yes | No |
| HO159 | Smythesdale General Cemetery, Glenelg Highway, Scarsdale | No | No | Yes | Yes | No | No | No | No |
| HO160 | Smythesdale State School No. 978, 50 Becker Street, Smythesdale | Yes | No | No | Yes | No | No | No | No |
| HO161 | Staffordshire Reef Cemetery, Donald Mcleans Road, Staffordshire Reef | No | No | Yes | Yes | No | No | No | No |
| HO162 | Steiglitz Cemetery, Steiglitz Road, Steiglitz | No | No | Yes | Yes | No | No | No | No |
| HO163 | Gowan Brae, 1038 Bannockburn-Shelford Road, Teesdale | Yes | No | No | Yes | Yes | No | No | No |
| HO164 | Teesdale State School No. 2065, 30 Sutherland, Teesdale | Yes | No | No | Yes | No | No | No | No |
| HO165 | Former Teesdale Water Reserve, Learmonth Street, Teesdale | No | No | Yes | Yes | No | No | No | No |
| HO166 | Teesdale War Memorial, Cnr Pantics Road and Bannockburn-Shelford Road, Teesdale | No | No | Yes | Yes | No | No | No | No |

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Solar energy system controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Aboriginal heritage place? |
|---|---|---|---|---|---|---|---|---|---|
| HO167 | Teesdale Presbyterian Church, 42 Pyke Street, Teesdale | No | Yes | Yes | Yes | No | No | No | No |
| HO168 | Woolbrook Homestead Complex, 704 Teesdale-Inverleigh Road, Teesdale | Yes | Yes | Yes | Yes | Yes | No | No | No |
| HO169 | Naringal Homestead, 1551 Lismore-Pitfield Road, Wallinduc | Yes | No | Yes | Yes | No | No | No | No |
| HO170 | Soldiers War Memorial, Cnr Lismore-Pitfield Road and Berrybank-Wallinduc Road, Wallinduc | No | No | No | Yes | No | No | No | No |
| HO171 | Inverleigh Cemetery, Cemetery Road, Inverleigh | No | No | Yes- Internal trees only, not perimeter planting | Yes | No | No | No | No |
| H0172 | Eucalyptus camaldulensis (River Red Gum) Cambridge Street Road Reserve between East and Dundas Streets, Inverleigh | No | No | Yes | Yes | No | No | No | No |
| HO173 | Pollocksford Bridge over Barwon River, Pollocksford Road, Stonehaven<br>**Statement of significance:**<br>Pollocksford Bridge Statement of Significance (Ecology and Heritage Partners Pty Ltd, July 2020) | No | No | No | Yes | No | No | No | No |
| HO174 | Clontarf Homestead, 4 Wallace Street, Meredith<br>**Statement of significance:**<br>Clontarf Homestead, 4 Wallace Street, Meredith Statement of Significance (Lorraine Huddle Heritage Consultant May 2022) | No | No | No | Yes | No | No | No | No |

# 43.02 DESIGN AND DEVELOPMENT OVERLAY

31/07/2018
VC148

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

### Purpose

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

To identify areas which are affected by specific requirements relating to the design and built form of new development.

## 43.02-1 Design objectives

19/01/2006
VC37

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

## 43.02-2 Buildings and works

16/10/2025
VC288

### 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 | Provision |
|---|---|
| Construct a fence. | Clause 59.05 |
| Construct a building or construct or carry out works for: | Clause 59.05 |

| Class of application | Provision |
|---|---|
| ▪ A carport, garage, pergola, verandah, deck, shed or similar structure.<br>▪ An outdoor swimming pool.<br>The buildings and works must be associated with a dwelling. | |
| 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 Subdivision

16/10/2025
VC288

### 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 | Provision |
|---|---|
| Subdivide land to realign the common boundary between two lots where:<br>▪ The area of either lot is reduced by less than 15 percent.<br>▪ 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:<br>▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.<br>▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. | Clause 59.02 |
| Subdivide land into two lots if:<br>▪ The construction of a building or the construction or carrying out of works on the land: | Clause 59.02 |

| Class of application | Provision |
|---|---|
| – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.<br>– Has started lawfully.<br>▪ The subdivision does not create a vacant lot. | |
| Subdivide land into two lots if:<br>▪ A permit has been issued under a provision of a residential zone to construct up to two dwellings on the land and the permit has not expired.<br>▪ Each lot will contain either:<br>– one existing dwelling; or<br>– one dwelling permitted to be constructed in accordance with the permit. | Clause 59.02 |

**Exemption from notice and review**

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 43.02-4 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

## 43.02-5 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

## 43.02-6 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

24/06/2021
C83gpla

# SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

**MEREDITH AND SMYTHESDALE**

## 1.0 Design objectives

20/12/2024
C102gpla

To implement the Meredith Town Place Study and Smythesdale Urban Design Framework.

To ensure that development:

- Has regard to design, siting and landscaping issues in Meredith and Smythesdale.
- Assists in the presentation of main road entrances into the towns and enhances the immediate environment.
- Assists pedestrian level comfort and access.

To protect heritage values and built character.

To support tourism development and reinforce civic pride and town character.

## 2.0 Buildings and works

24/06/2021
C83gpla

None specified.

## 3.0 Subdivision

24/06/2021
C83gpla

None specified.

## 4.0 Signs

24/06/2021
C83gpla

None specified.

## 5.0 Application requirements

20/12/2024
C102gpla

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:

Applications for development under this schedule should be accompanied by the following information demonstrating compliance with the Meredith Town Place Study or Smythesdale Urban Design Framework, whichever is relevant:

- A landscape plan demonstrating compliance with landscape themes and plantings.
- A design report demonstrating that building mass, scale and form have been considered in the design of buildings, having regard to the local surroundings.
- Demonstration that streetscape character of the relevant Town Place Study or Urban Design Framework have been identified and considered.

## 6.0 Decision guidelines

24/06/2021
C83gpla

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:

- Development of land should consider the character and local heritage values of towns when designing and siting development. The design of buildings, their mass and scale is important in preserving the character and historical attributes of towns. Design of buildings and works should demonstrate that these factors have been considered.

- Streetscape issues are important to the character of each town. Identified streetscape character should be taken into account in the design of new use and development.
- Development along highways and main roads is important for the character and streetscape presentation of the towns. Development at township entrances should be designed with respect to the built environment and sited and finished in such a way that it contributes to the overall appearance and character of the town and the town entrance.
- Street trees are important in creating of areas that offer shade and protection from the elements that are conducive in assisting people to stop and use the town. Development located along entrances to all towns should be landscaped with species consistent with the landscape assessment or plan for the township. Developments located on the edge of township area should be landscaped to assist in absorbing the development within the surrounding landscape and to provide a delineated edge to the town.

24/06/2021
C83gpla

# SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3**.

## FUTURE ROSS CREEK TANK SERVICING AREA

## 1.0 Design objectives

24/06/2021
C83gpla

To identify areas that are too high to be provided with the minimum standard of water pressure in the vicinity of the proposed Ross Creek tank.

## 2.0 Buildings and works

20/12/2024
C102gpla

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

- New dwellings should be constructed below 450 metres Australian Height Datum unless alternative water supply measures are agreed with the relevant water board or water supply authority.

## 3.0 Subdivision

24/06/2021
C83gpla

None specified.

## 4.0 Signs

24/06/2021
C83gpla

None specified.

## 5.0 Application requirements

24/06/2021
C83gpla

None specified.

## 6.0 Decision guidelines

24/06/2021
C83gpla

None specified.

24/06/2021
C83gpla

# SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4**.

## NAPOLEONS TOWNSHIP AREA

## 1.0 Design objectives

24/06/2021
C83gpla

To recognise the environmental constraints of land which may affect the retention of waste water.

To ensure new use and development is in accordance with these environmental constraints.

## 2.0 Buildings and works

20/12/2024
C102gpla

Applications for dwellings will be referred to the relevant water board or water supply authority for comment.

## 3.0 Subdivision

24/06/2021
C83gpla

None specified.

## 4.0 Signs

24/06/2021
C83gpla

None specified.

## 5.0 Application requirements

20/12/2024
C102gpla

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:

- The responsible authority will, where it considers necessary, require a soil and water report for new use and development which demonstrates the capacity of the site to adequately retain wastewater.

## 6.0 Decision guidelines

24/06/2021
C83gpla

None specified.

24/06/2021
C83gpla

# SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5**.

## LOW DENSITY RESIDENTIAL ZONE SETBACKS

## 1.0 Design objectives

24/06/2021
C83gpla

To ensure that the siting and design of buildings creates an attractive low density residential environment.

To ensure that development has regard to the low density residential character of the area.

To ensure that a high level of amenity is maintained in low density residential areas.

## 2.0 Buildings and works

20/01/2022
VC205

A permit is not required except to construct a building if the following minimum setbacks are not met:

- 20 metres from a Transport Zone 2 or land in a Public Acquisition Overlay if:
  - The Head, Transport for Victoria is the acquiring authority; and
  - The purpose of the acquisition is for a road.
- 10 metres from any other road.
- 5 metres from any other boundary.
- 15 metres from a dwelling not in the same ownership.

## 3.0 Subdivision

24/06/2021
C83gpla

None specified.

## 4.0 Signs

24/06/2021
C83gpla

None specified.

## 5.0 Application requirements

24/06/2021
C83gpla

None specified.

## 6.0 Decision guidelines

08/09/2022
C99gpla

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 siting of the proposed building will be in keeping with the character and appearance of the area.
- Whether the siting of the proposed building will be detrimental to the amenity of the area.
- Whether the proposed building has been designed to have minimal visual impact by using materials that are non-reflective and with muted tonings.

18/11/2010
C52

# SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6.**

**WILLOW BRAE DEVELOPMENT – BANNOCKBURN**

## 1.0 Design objectives

12/07/2007
C30 Part 1

To facilitate the comprehensive development of the site, including a multi-lot subdivision, creek side townhouses and reservation of land along Bruce's Creek as public open space.

To facilitate the reservation and development of land along Bruce's Creek for public open space and trails, contributing to the Bruce's Creek corridor

To ensure that medium density housing (townhouses) proposed as part of the development respond to site conditions, the creek setting and to the desired character of the area.

To ensure that the subdivision of the site responds to the environmental and physical features of the site, including the management of stormwater discharge, slope stability, floodways, native vegetation and Aboriginal cultural heritage.

To enable the site to be developed in stages.

## 2.0 Buildings and works

24/06/2021
C83gpla

A permit is not required to construct a building or carry out works where all the following are met:

- The lot has an area of at least 500 square metres.
- Any building is set back at least 5 metres from the front boundary.
- Any building is no greater than two stories in height (including attics).
- Fences fronting a road or public open space are no greater than 1 metre in height.

If the requirements listed above cannot be met, a planning permit is required for all buildings and works. All permit applications should be assessed against the Decision guidelines of this schedule.

A permit is not required for buildings and works where:

- The buildings and works are within open space reserves and conducted on behalf of the public land manager.

The proposal designates areas fronting Bruce's Creek for medium density housing in the form of townhouses. As these lots are proposed to be below the 500 square metres in area, a planning permit is required for all buildings and works. Townhouses must be designed:

- So that there are no blank walls fronting streets or open space.
- To accommodate changes of level within the site.
- To ensure adequate passive surveillance primarily to open space and secondly to the rear access laneways.
- To consider the building scale in respect of the creek setting and avoid the appearance of building bulk. This means that townhouses should not be designed as a large rectangular slab with no detail or variation and should not dominate the landscape.
- To incorporate articulation and variation into the design. For example, the variation of facades, roof structures, cladding materials/colours or setbacks to provide streetscape character.
- No greater than two stories in height (including attics).
- To incorporate vehicular access from the rear laneway.

All permit applications submitted to construct townhouses must demonstrate that these matters have been responded to within the design response.

## 3.0 Subdivision

20/12/2024
C102gpla

A permit is required to subdivide land.

A permit to subdivide land must meet the following requirements:

- The subdivision of land must occur generally in accordance with the Willow Brae Concept Masterplan included at the end of this schedule.
- The natural surface level of all lots created must be at least 300 millimetres above the 1 in 100-year floodway.
- Bruce Street must be upgraded to the satisfaction of the responsible authority, including the sealing of the road for the full length of the development; with kerb, channel, street trees and footpaths provided along the eastern side of the road.

## 4.0 Signs

20/12/2024
C102gpla

None specified.

## 5.0 Application requirements

20/12/2024
C102gpla

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:

### Subdivision

- A stormwater management plan detailing how stormwater will be collected and treated within the subdivision and identifying the proposed methods for disposing of stormwater, with particular emphasis on the removal of sediment, prevention of erosion, contributing catchments, water quality protection, mitigation of flows and ultimately the protection of Bruce's Creek to the satisfaction of the responsible authority.
- An archaeological survey, which will locate, record and assess Aboriginal sites and post-contact places and objects of cultural and historical significance on the subject land. A qualified archaeologist must conduct the survey and the recommendations of the survey will guide the subdivision design and layout of the development and set out the management practices required to preserve, protect and enhance the identified sites. The archaeological survey is to be completed to the satisfaction of the responsible authority.
- A traffic impact assessment report which considers the impact of traffic movements at the Shelford-Bannockburn/Bruce Street intersection. The assessment needs to consider the impacts of traffic generated by the fully completed Willow Brae Development, namely the area within this schedule 6 of the Design and Development Overlay.
- The assessment should identify projected traffic volumes, the impacts of the increased traffic and treatments to mitigate these impacts. The assessment shall also consider pedestrian and cycle links to the Bannockburn town centre. The report should recommend staging of works (if appropriate) and mechanisms to fund the works in stages (an agreement under Section 173 of the Act for example).
- The traffic impact assessment report and mitigating works must be completed to the satisfaction of the Head, Transport for Victoria and the responsible authority. All works must be carried out at no cost to Transport for Victoria.

### Buildings and works

- A more detailed design geological stability assessment must be prepared for all areas shown in the intermediate zone on the Willow Brae Concept Masterplan provided at the end of this schedule before any building works are approved in these areas. All recommendations and requirements of the assessment must be adhered to ensure the safety of buildings and infrastructure.

## 6.0 Decision guidelines

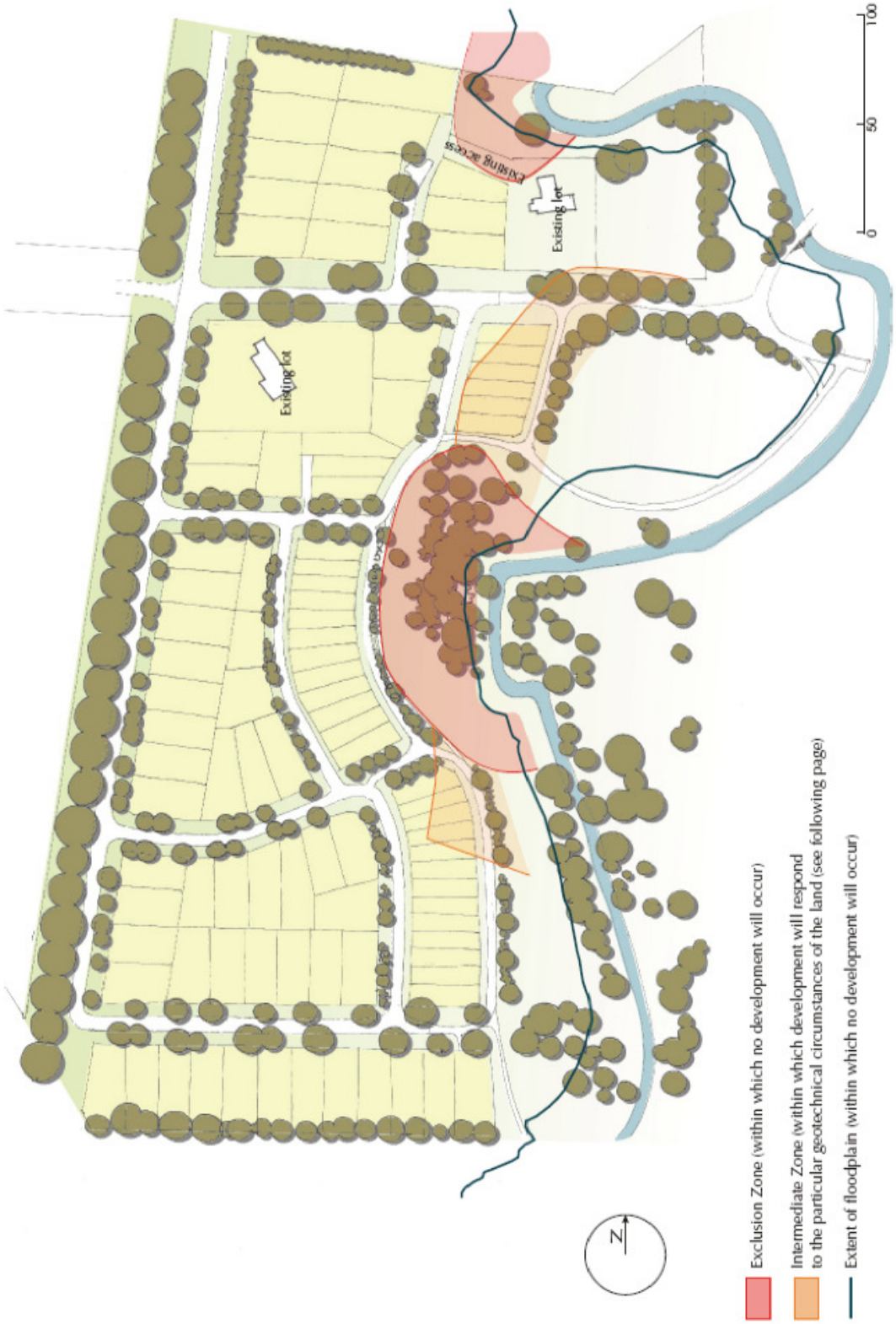
20/12/2024
C102gpla

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 design of townhouses meets the requirements listed above at section 2.0 Buildings and works.
- How the proposal is sympathetic with and responsive to the character and landscape values of the area, in particular along the Bruce's Creek corridor.
- The height of fencing and encouraging low (1 metre height) or no front fences, particularly fronting public open space or roadways.
- The design of new development on corner sites which should address both street frontages.

**Map 1 to Schedule 6 to Clause 43.02**

**Willow Brae Concept Masterplan**



24/06/2021
C83gpla

# SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**.

**BUSINESS 4 ZONE BUSINESS PARK**

## 1.0 Design objectives

24/06/2021
C83gpla

To provide for a high quality and well presented service industrial precinct adjacent to the Glenelg Highway that is attractive in its appearance on both the Glenelg Highway frontage and the Ballarat to Skipton Rail Trail frontage.

## 2.0 Buildings and works

24/06/2021
C83gpla

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

- Encourage the design and built form of new development to respect the scale and character the Smythesdale township. Building design should not be flat wall/ box style, but rather use articulation, landscaping and rear parking areas to present an attractive appearance to the Glenelg Highway.
- The site layout, including the location of building envelopes, must provide for the concealment of open parking and external storage areas away from frontages to the Glenelg Highway and Ballarat-Skipton Rail Trail.
- A minimum setback for buildings of 10 metres from the Glenelg Highway frontage and a 10 metre setback from the rear of the lots adjacent to the Ballarat to Skipton Rail Trail should be maintained.
- Provision should be made for a 5 metre landscape buffer at the frontage to the Glenelg Highway and also to the rear fronting the Ballarat to Skipton Rail Trail to soften the built form.
- Retain existing vegetation within and on the boundary of sites.
- Building colours and materials should be muted and non-reflective.
- Signage shall be designed to complement building design on the site and should not detract or dominate the adjacent building(s).
- Hardstand areas, surfacing and provision of infrastructure to the site shall be sited so as not to dominate the site and shall be of materials and colours that blend with the buildings and landscaping on the site.

## 3.0 Subdivision

24/06/2021
C83gpla

A permit to subdivide land must meet the following requirements:

- Subdivision layout must be designed to provide for:
  - An internal road within the Business 4 Zone Commercial Precinct (where applicable).
  - Building envelopes for the siting of buildings.
  - Car parking and storage areas.
  - Co-ordinated infrastructure provision to lots and landscaping buffer areas at the frontage to the Glenelg Highway and the boundaries adjacent to the Ballarat-Skipton Rail Trail.
- The site layout, including the location of building envelopes, must provide for the concealment of open parking and external storage areas away from frontages to the Glenelg Highway and Ballarat-Skipton Rail Trail.

## 4.0 Signs

24/06/2021
C83gpla

None specified.

## 5.0 Application requirements

20/12/2024
C102gpla

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:

### Buildings and works

Applications for buildings and works in the Design and Development Overlay Area should be accompanied by the following information demonstrating compliance with the Smythesdale Urban Design Framework:

- A landscape plan demonstrating compliance with the landscape themes and plantings.
- A design report demonstrating that building mass, scale and form have been considered in the design of buildings, having regard to the local surroundings.

### Subdivision

- Applications for subdivision shall be accompanied by an access plan which demonstrates a single access to the Glenelg Highway, servicing all lots proposed within the subdivision plan. The access plan shall be undertaken in consultation with the Head, Transport for Victoria, and shall include linkages to access plans for adjoining lots, where applicable.
- Applications for subdivision under this schedule must be accompanied by a landscape plan demonstrating compliance with the landscape themes and plantings outlined in the Smythesdale Urban Design Framework.

## 6.0 Decision guidelines

24/06/2021
C83gpla

None specified.

## 7.0 Background document

Smythesdale Urban Design Framework (Michael Smith and Associates, March 2006)

28/03/2013
C58

# SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

## BANNOCKBURN TOWN CENTRE

## 1.0 Design objectives

20/12/2024
C102gpla

To provide a comprehensive and coordinated framework to facilitate the development and expansion of the Bannockburn Town Centre in a manner that enhances the Centres' character and appearance.

To encourage development that has active frontages, particularly to major roads and pedestrian links.

To provide for public spaces and suitable access for all.

To encourage a high standard of architectural and urban design that is respectful of the existing styles, built form, height and scale of existing buildings and streetscape in the centre.

To facilitate the provision of necessary infrastructure such as road networks, pedestrian links, car parking and drainage.

## 2.0 Buildings and works

20/12/2024
C102gpla

A permit is required to construct buildings or to carry out works except for:

- A single dwelling or an extension to an existing dwelling on a lot greater than 300 square metres in area.
- Outbuildings and sheds under 120 square metres in area.
- Repairs and routine maintenance to buildings and infrastructure.
- A fence associated with a dwelling.

The Bannockburn Town Centre Investment Strategy 2008 identified various precincts within the Town Centre. Each precinct is designed to guide appropriate development, deliver key outcomes and protect existing elements.

### Precinct A - Retail Development Precinct

The following buildings and works requirements apply to an application to construct a building or construct or carry out works within Precinct A:

Buildings and works requiring a permit within Precinct A must:

- Respond to the design, height and built form of existing buildings.
- Respond to the need for active frontages to roads and public spaces.
- Retain Burns Street (in part) to the north east of Milton Street as a principal access way to proposed car parks servicing the future expansion of the Plaza, along with access to adjacent commercial and residential properties.
- Incorporate design techniques to articulate all visually exposed facades.
- Have a high standard of design that positively contributes to the character of Bannockburn.
- Incorporate appropriate setbacks from important heritage buildings, in particular the Bannockburn Shire Hall and associated public spaces that contribute to the character of Bannockburn.
- Retain car parking areas adjacent to the Shire Hall.

- Provide integration between the open spaces and the retail precinct in the form of inviting access ways and entrance points.
- Retain the existing access between Burns Street and High Street, in order to service the local shopping precincts adjacent to the Plaza development and the Bannockburn Shire Hall.

**Precinct B - Medium Density Development Precincts**

The following buildings and works requirements apply to an application to construct a building or construct or carry out works within Precinct B:

Buildings and works requiring a permit within Precinct B must:

- Provide an increased housing density of at least 18 dwellings per hectare.
- Provide a maximum building height of 2 storeys.
- Provide setbacks consistent with other medium density developments within the precinct.
- Be consistent with the general character of the area, in terms of built form, scale and articulation.
- Provide drainage infrastructure within the area and any necessary improvements required resulting from development.

**Precinct C- Commercial/ Services Precincts**

The following buildings and works requirements apply to an application to construct a building or construct or carry out works within Precinct C:

Buildings and works requiring a permit within Precinct C must:

**Existing commercial precinct (east of High Street)**

- Preserve the heritage nature of any significant buildings.
- Provide adequate off-street parking on site for employees.
- Ensure any future development in this precinct is respectful of the existing wide tree lined avenues, low scale streetscape and surrounding buildings.
- Provide a maximum building height of 1 storey.

**Redevelopment of the school site**

- Preserve the heritage nature of any significant buildings.
- Reuse existing buildings, where suitable and when appropriate, for future uses.
- Ensure a high standard of articulation and design, while positively contributing to the existing wide tree lined avenues, low scale streetscape and character of Bannockburn.
- Provide a maximum building height of 2 storeys.

**Commercial Services precinct above the Plaza centre**

- Be of a recessed built form to present an articulated façade to the surrounding street frontages.
- Be of a built form that is respectful to the town character and existing wide tree lined avenues and low scale streetscape.
- Be a maximum single storey development over the retail floorspace.
- Have direct access from within the retail complex to any second level.

**Precinct D - Open Space Area**

The following buildings and works requirements apply to an application to construct a building or construct or carry out works within Precinct D:

Buildings and works requiring a permit within Precinct D must:

- Provide landscaping to create visually appealing spaces.
- Provide suitable urban furniture in each open space area to encourage a high quality of design within the public realm and to encourage social connectivity.
- Provide public spaces that are visible from streets and surrounding areas, allowing for informal passive surveillance.
- Provide integrated kerb and street infrastructure with key features, such as the Shire Hall.

## 3.0 Subdivision

03/12/2009
C46

A permit is required to subdivide land.

Consolidation of titles is encouraged in areas where larger sites are required for retail or office facilities.

## 4.0 Signs

20/12/2024
C102gpla

Sign requirements are at Clause 52.05. In addition to these requirements:

- Design signs that are attractive, well presented and do not promote visual clutter, particularly along road frontages.
- Design and locate signs to respond to the integrity of heritage buildings.
- Permit illuminated signs if light spillage does not pose potential detriment to general amenity and that the character of the surrounding area is not detrimentally affected.

## 5.0 Application requirements

24/06/2021
C83gpla

None specified.

## 6.0 Decision guidelines

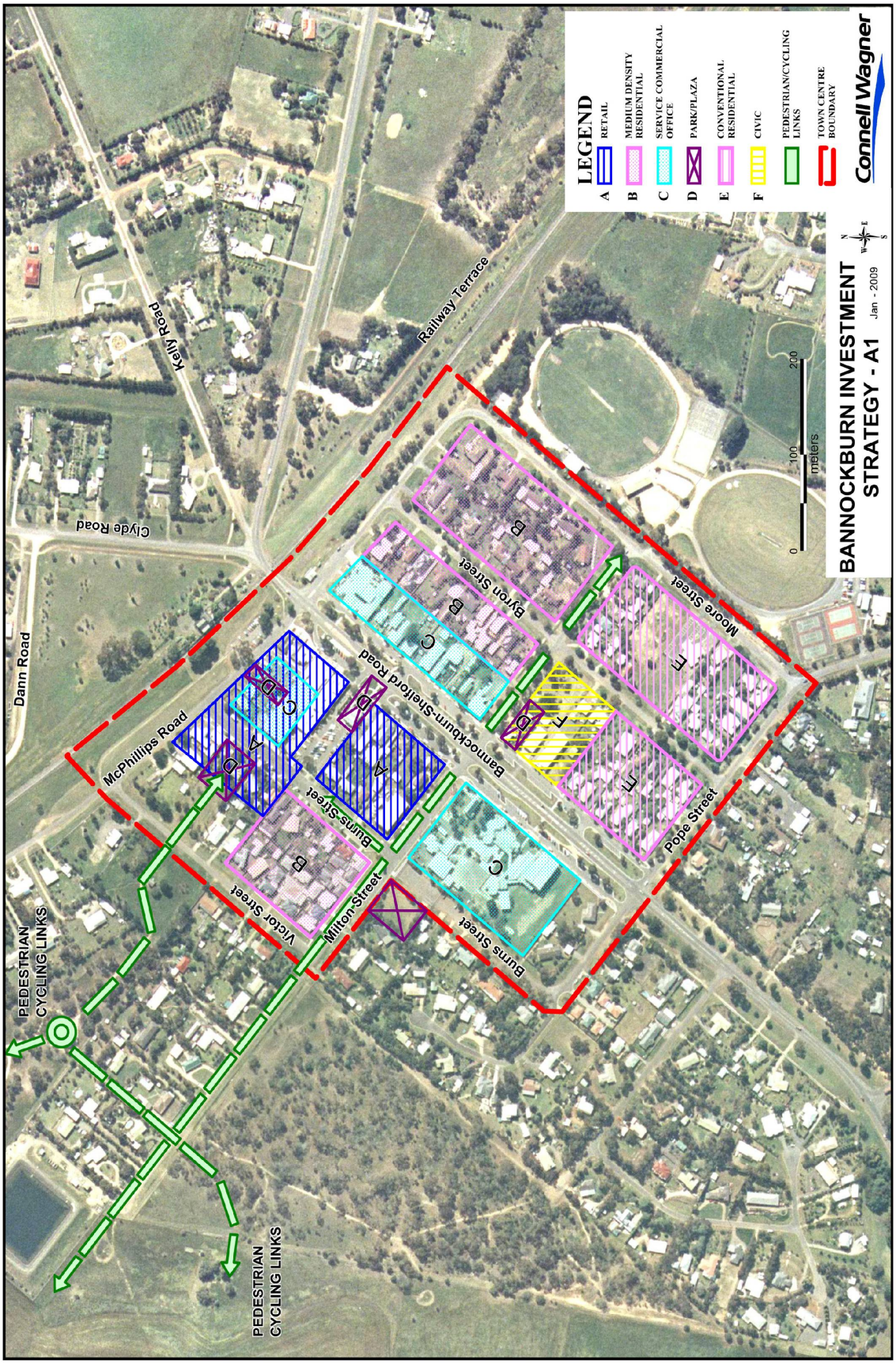
20/12/2024
C102gpla

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 Bannockburn Town Centre Investment Strategy 2008.
- The impact of signs.

## Map 1 to Schedule 9 to Clause 43.02

## Land Use Precinct Plan



24/06/2021
C83gpla

# SCHEDULE 10 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO10**.

**MANSE ESTATE**

## 1.0 Design objectives

20/12/2024
C102gpla

To ensure that development:

- Does not visually dominate the landscape or interrupt views between the Manse, Golf Hill and the Presbyterian Church.
- Corresponds to the contours of the land.
- Complements the character of the historic Manse and its surrounds.
- Makes a positive contribution to the character of the town by maintaining a sense of spaciousness and low rise scale, particularly when viewed from the eastern entrance of Shelford.

To ensure that the rural valley landscape character is maintained.

To maintain key views and vistas.

To ensure an overall scheme for landscaping, fencing, building design, including height, scale, bulk, materials and setback of new development respects and responds to the historic and visual sensitivities of the site.

## 2.0 Buildings and works

20/12/2024
C102gpla

A permit is required to construct a fence. This does not apply if:

- The fence is of post and wire construction or similar, for the purpose of protecting the rural landscape character and visual sensitivities of the site.

A permit is required for solar panels. This does not apply if:

- The solar panels are not visible from views between the Manse, Golf Hill, the Presbyterian Church and the eastern entrance of Shelford.

A permit is required for outbuildings. This does not apply if:

- The outbuilding is less than 120 square metres in area.
- The outbuilding does not exceed a height of 6 metres.
- The outbuilding is located behind the front setback of the dwelling on the land.

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

- Building heights must not obstruct views lines between the Manse, Golf Hill and the Presbyterian Church.
- Built form, roof pitch, colours, height, articulation and materials must complement the surrounding rural landscape, historic and visual sensitivities of the site.
- Building scale must respect the historic Manse, the rural valley setting and avoid the appearance of building bulk.
- Double storey dwellings must be avoided, unless designed into the contours of the land to prevent dominance of the landscape and views to the site and between the Manse, Golf Hill and the Presbyterian Church.
- Outbuildings must be sited so as not to dominate the landscape.

- Sufficient setbacks must be provided between buildings on adjoining lots to maintain the open rural valley appearance and protect significant views of the site from the eastern entrance to Shelford.
- Sufficient setbacks must be provided for protection of vegetation and adequate landscaping and planting to integrate with the existing landscape character of the area.
- Solid fencing must be avoided.

## 3.0 Subdivision

24/06/2021
C83gpla

None specified.

## 4.0 Signs

24/06/2021
C83gpla

None specified.

## 5.0 Application requirements

24/06/2021
C83gpla

None specified.

## 6.0 Decision guidelines

20/12/2024
C102gpla

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 Victorian Heritage Database (Manse pages).
- Significant views to the site from the eastern entrance to Shelford.
- Significant viewlines between the Manse, Golf Hill and the Presbyterian Church.
- The form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the heritage and visual sensitivities of the site.
- The fencing and the extent to which it promotes visual permeability.
- Whether proposed buildings or fencing retain an inconspicuous profile and do not dominate the landscape.
- Whether development proposals allow for an open visual balance across the site when viewed from the eastern entrance to the township.
- Whether opportunities exist to avoid a building being visually obtrusive by the use of alternative building designs, including split level and staggered building forms, that follow the natural slope of the land or avoiding presentation of blank walls from significant views to the site or within the site.
- Whether built form delivers a high degree of articulation, including natural materials with earth tonings, inclusion of eaves and avoids blank walls and parapet/box style design.
- Whether the proposal provide for landscaping and maintains an open, uncluttered landscape.
- Whether solar panels impact on significant views to the site and between the Manse, Golf Hill and the Presbyterian Church.
- Any approved landscape plan and building height, materials and colour schedule for the site.

## 43.04 DEVELOPMENT PLAN OVERLAY

31/07/2018
VC148

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

### Purpose

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

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

## 43.04-1 Objectives

31/07/2018
VC148

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

## 43.04-2 Requirement before a permit is granted

31/07/2018
VC148

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

## 43.04-3 Exemption from notice and review

31/07/2018
VC148

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 43.04-4 Preparation of the development plan

25/02/2025
VC257

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.

24/06/2021
C83gpla

# SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

**TOWNSHIP DEVELOPMENT PLAN - BANNOCKBURN**

## 1.0 Objectives

24/06/2021
C83gpla

None specified.

## 2.0 Requirement before a permit is granted

24/06/2021
C83gpla

A development plan is required to be submitted with a planning permit application or before a planning permit is granted to subdivide land into two or more lots.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

The following conditions and/or requirements apply to permits:

- All township development must be serviced with reticulated water and sewerage (when available).
- Where sewerage infrastructure cannot be provided soil and water reports must be submitted demonstrating compliance with state and local policies on effluent and stormwater disposal.
- All township development must be serviced with sealed roads.

## 4.0 Requirements for development plan

24/06/2021
C83gpla

A development plan must include the following requirements:

- The relationship of uses proposed on the land to existing and proposed uses on adjoining land and proposed buffer areas separating land uses.
- Any sites of conservation, heritage or archaeological significance and the means by which they will be managed.
- Appropriate arrangements for the provision and funding of necessary physical and social infrastructure.
- The staging and anticipated timing of development.
- An overall scheme of landscaping and any necessary arrangements for the preservation or regeneration of existing vegetation.
- Suitable linkages between the site and road, public, bicycle and pedestrian transport facilities to township areas.
- A soil and water report must be submitted with all applications to demonstrate the capacity of infrastructure to service the development and treat stormwater.

24/06/2021
C83gpla

# SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

## LOW DENSITY RESIDENTIAL DEVELOPMENT PLAN

## 1.0 Objectives

24/06/2021
C83gpla

None specified.

## 2.0 Requirement before a permit is granted

24/06/2021
C83gpla

A development plan is required to be submitted with a planning permit application or before a planning permit is granted to subdivide land into two or more lots.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

The following conditions and/or requirements apply to permits:

- All residential development must be serviced with reticulated water and sewerage (when available).
- Where sewerage infrastructure cannot be provided soil and water reports must be submitted demonstrating compliance with state and local policies on effluent and stormwater disposal.
- All residential development must be serviced with sealed roads.

## 4.0 Requirements for development plan

20/12/2024
C102gpla

A development plan must include the following requirements:

- The relationship of uses proposed on the land to existing and proposed uses on adjoining land and proposed buffer areas separating land uses.
- Any sites of conservation, heritage or archaeological significance and the means by which they will be managed.
- Appropriate arrangements for the provision and funding of necessary physical and social infrastructure.
- The staging and anticipated timing of development.
- An overall scheme of landscaping and any necessary arrangements for the preservation or regeneration of existing vegetation.
- Suitable linkages between the site and road, public, bicycle and pedestrian transport facilities to rural residential and urban areas.
- A soil and water report must be submitted with all applications to demonstrate the capacity of infrastructure to service the development and treat stormwater.

20/12/2024
C102gpla

# SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO9**.

## BARRABOOL VIEWS LOW DENSITY RESIDENTIAL DEVELOPMENT

## 1.0 Objectives

20/12/2024
C102gpla

To ensure a number of site specific requirements are met as part of subdivision.

## 2.0 Requirement before a permit is granted

24/06/2021
C83gpla

A development plan must be approved by the responsible authority prior to a planning permit being granted to subdivide the land into two (2) or more allotments, or prior to granting a planning permit for a dwelling or ancillary buildings.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

The following conditions and/or requirements apply to permits:

- All residential development must be serviced with sealed roads.
- A concrete footpath 1.2 metres in width is to be provided along at least one side of each proposed road within the subdivision in addition to a concrete footpath along one side of Common Road fronting the subdivision and Faulkner Road unless already provided to Council's standards to improve pedestrian safety and accessibility.
- Common Road be upgraded to a 6.2 metre seal width along the frontage of the site with appropriately designed shoulders and drains to the satisfaction of the responsible authority.
- Faulkner Road be upgraded to a 6.2 metre seal width along the frontage of the site with appropriately designed shoulders and drains to the satisfaction of the responsible authority. An agreement is to be prepared to co-ordinate the construction of Faulkner Road with the owner of the land on the east side of Faulkner Road (No. 44 Lot 8 LP133642, Parish of Carrah, Inverleigh).
- Hopes Plains Road be upgraded to a 6.2 metre seal width along the frontage of the site and the intersection with Faulkner Road upgraded to the satisfaction of the responsible authority.
- An agreement under Section 173 of the Act (Section 173 agreement) for all lots must be prepared to the satisfaction of the responsible authority to ensure:
  - No further subdivision.
  - Payment of public open space contribution.
  - Developer contributions set out in the letter dated Monday 30 March 2009 to the responsible authority from Jim Ramsey.
  - Acknowledgement of the adjoining rural land uses and the implications of living adjacent to an operating farming property. The agreement will inform all future owners of the proposed lots that from time to time there may be off-site affects associated with the neighbouring rural use. Please refer to the endorsed memorandum dated 25 June 2008 that details possible affects in preparing the appropriate information (within the Section 173 agreement) to the satisfaction of the responsible authority.
- A Section 173 agreement must be prepared to the satisfaction of the responsible authority specifically for the current Lot 1 LP128473, Parish of Carrah which prohibits horses or livestock from being kept on the land.

- A Section 173 agreement must be prepared to the satisfaction of the responsible authority implementing the Clover Glycine Land Management Plan to the appropriate land.
- A Section 173 agreement must be prepared to the satisfaction of the responsible authority implementing the land management plan for all lots abutting the Inverleigh Golf Course and Inverleigh Nature Conservation Reserve.

## 4.0 Requirements for development plan

27/08/2021
C97gpla

A development plan must include the following requirements:

- A stormwater management plan considering contributing catchments and pre and post development flows, which details how stormwater will be collected and treated within the subdivision and identifying the proposed methods for disposing of stormwater, with particular emphasis on the removal of sediment, prevention of erosion and mitigation of flows to the satisfaction of the responsible authority.
- A land management plan prepared by an appropriately qualified professional and applied to all lots which possess the Clover Glycine. The management plan needs to ensure the area of Clover Glycine is adequately protected.
- A land management plan must be prepared by an appropriately qualified professional and applied to all lots abutting the Inverleigh Golf Course and Inverleigh Nature Conservation Reserve relating to management/ownership obligations, including maintenance and management of a 30 metre fire buffer from the common boundary between the golf course and adjoining lots, vegetation protection and planting of new species outside the buffer, drainage, management of domestic pets and weeds, and minimisation of direct access to Crown land. These requirements will then pass to individual land owners following subdivision.
- An infrastructure servicing report must be prepared considering current Lot 1 LP LP128473, Parish of Carrah. The report must identify how removal of vegetation including Clover Glycine is avoided, ensure no harmful processes which may impact on vegetation and demonstrate compatibility with environmental objectives as part of providing services and infrastructure.
- An archaeological survey, which will locate, record and assess Aboriginal sites and post – settlement places and objects of cultural and historical significance on the subject land. A qualified archaeologist must conduct the survey and the recommendations of the survey will guide the subdivision design and layout of the development and set out the management practices required to preserve, protect and enhance the identified sites. The archaeological survey is to be completed to the satisfaction of the responsible authority.
- A plan identifying building, driveway, effluent and vegetation protection envelopes for each lot to be created. The envelopes must be located outside of the 30 metre setback (fire buffer referred to above) to ensure development is excluded from this area.
- A flora and fauna management plan including, recommendations of the flora & fauna assessment and the location and species of proposed vegetation. Proposed species are to be of local provenance. This plan must also identify a firebreak along the common boundary between the Golf Course and the proposed subdivision and concentrated native planting along the Hopes Plains Road boundary within the proposed lots.
- A traffic impact assessment report which considers the impact of traffic movements at the intersections of the Common Road and Hopes Plains Road with the Hamilton Highway. The assessment shall consider the impacts of traffic generated by the subject land in addition to pre-existing traffic.
- The assessment should identify projected traffic volumes, the impacts of the increased traffic and the necessary treatments to mitigate these impacts (such as turning lanes). The assessment must address the management of mitigation works.

- The traffic impact assessment report and mitigating works must be completed to the satisfaction of the Head, Transport for Victoria and the responsible authority. All works must be carried out at no cost to Transport for Victoria or the responsible authority.
- Land adjoining the crown land comprising the Inverleigh Nature Conservation Reserve and Inverleigh Golf Course must be developed with minimum lot sizes of 2 hectares.
- Land adjoining Hopes Plains Road (comprising 251 Hopes Plains Road, Inverleigh [Lot APS701788] and adjoining Lot A PS701787W) must be developed with minimum lot sizes of at least 0.4 hectares in accordance with the Inverleigh Structure Plan (2019) and must respond to environmental considerations including the following bushfire prevention measures:
  - Setbacks for the purposes of defendable space of 19 metres from the north, west and south boundary, unless otherwise agreed in writing by the CFA.
  - Vegetation must be managed within any area of defendable space to the following standard:
    - 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.
    - 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.
  - Any building on a new lot should be designed and constructed to a minimum standard of Bushfire Attack Level (BAL) 12.5.

  Where environmental constraints are evident, lots may need to exceed 0.4 hectares.
- All lots outside of the 2 hectare and 0.4 hectare minimum area must be at least 1 hectare in size and must respond to environmental considerations. Where environmental constraints are evident, lots may need to exceed 1 hectare.
- Suitable road, cycle and pedestrian linkages between the site, recreation/open space, the central Inverleigh township area and other residential areas.
- The staging and anticipated timing of development.
- A land capability assessment undertaken in accordance with environment.
- Protection Authority Publication 746.1 *Land Capability Assessment for Onsite Domestic Wastewater Management 2003,* which demonstrates that wastewater can be treated and retained within each proposed allotment of the subdivision satisfactorily.
- An overall design response that incorporates all of the appropriate elements listed above into a single plan demonstrating how the subdivision has responded to the requirements of the development plan.

20/12/2024
C102gpla

# SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10**.

**BANNOCKBURN EAST – LOW DENSITY RESIDENTIAL DEVELOPMENT**

## 1.0 Objectives

20/12/2024
C102gpla

To ensure a number of site specific requirements are met.

## 2.0 Requirement before a permit is granted

24/06/2021
C83gpla

A development plan must be approved by the responsible authority prior to any planning permit being granted to subdivide the land into two (2) or more allotments or realign/re-subdivide any of the existing allotment boundaries.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

The following conditions and/or requirements apply to permits:

- All residential development must be serviced with sealed roads.
- All allotments must be connected to reticulated water, electricity and telephone services.
- A coloured concrete footpath or approved alternative is to be provided along at least one side of each proposed road within the subdivision to Council's standards to improve pedestrian safety and accessibility.
- The intersection of Garonne Drive and Knights Park Crescent is to be upgraded to accommodate additional traffic created by the development to the satisfaction of the responsible authority.
- The applicant/developer must enter into an agreement under Section 173 of the Act with Council requiring that the purchaser of each lot must install a 22,500 litre (5,000 gallon) rainwater tank plumbed into any dwelling constructed on the lot upon completion of the dwelling.
- Each allotment must be fenced.

## 4.0 Requirements for development plan

28/07/2021
GC191

A development plan must include the following requirements:

- An overall design response that incorporates all of the appropriate elements listed below into a single plan demonstrating how the subdivision has responded to the requirements of the development plan.
- A stormwater management plan detailing how stormwater will be collected and treated within the subdivision and identifying the proposed methods for disposing of stormwater, with particular emphasis on the removal of sediment, prevention of erosion, mitigation of flows and the use of water sensitive urban design techniques.
- Buffers to the rural land to the east and the Midland Highway to the north.
- Provide for a vegetation belt of a width of at least 8 metres, including a pedestrian path along the eastern boundary of the site between the Geelong – Ballarat Railway Line and the Midland Highway to act as the defined boundary of the Bannockburn Township. The vegetation belt is to be designed in accordance with Figures 7 & 8 (Indicative Growth Boundary) of the Bannockburn Urban Design Framework (March 2005).
- The provision of suitable road, cycle and pedestrian linkages and consideration of the wider road and pedestrian network.
- Consideration of how the subdivision design responds to the character and lot pattern of the surrounding neighbourhood.

- Provision of lots that are consistent with the 'Low Density Residential Zone Lot Size Schedule' adopted by Council as a guide for minimum lot size decision in the Low Density Residential Zone.
- Vehicular access to existing lots 1 PS313731P, Parish of Gheringhap and Crown Allotment 62 Section 27, Parish of Gheringhap currently fronting the Midland Highway is to be provided within the subdivision layout so that existing access points to the highway could be removed. Future subdivision of the highway fronting allotments must only gain access from internal roads and not the highway.
- A fire access track is to be provided in consultation with the Head, Transport for Victoria, linking the proposed subdivision with the Midland Highway for the use of emergency vehicles only. Access control is to be designed and managed to the satisfaction of the responsible authority and the Head, Transport for Victoria.
- An archaeological survey, which will locate, record and assess Aboriginal sites and post – settlement places and objects of cultural and historical significance on the subject land. A qualified archaeologist must conduct the survey and the recommendations of the survey will guide the subdivision design and layout of the development and set out the management practices required to preserve, protect and enhance the identified sites. The archaeological survey is to be completed to the satisfaction of the responsible authority.
- A plan identifying building & effluent envelopes for each lot to be created. Building envelopes must have a setback of at least 10 metres from street frontages and 5 metres to all other boundaries.
- A landscaping plan including the location and species of proposed vegetation. Proposed species are to be of local provenance.
- The staging and anticipated timing of development.
- A land capability assessment undertaken in accordance with EPA Publication 746.1 *Land Capability Assessment for Onsite Domestic Wastewater Management 2003* which demonstrates that wastewater can be treated and retained within each proposed allotment of the subdivision successfully.
- A preliminary environmental assessment undertaken to the satisfaction of the responsible authority that demonstrates that the land is not contaminated. If this assessment is not to the satisfaction of the responsible authority, then a Statement of Environmental Audit will be required.

20/12/2024
C102gpla

# SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO11**.

**HILLS ROAD, BATESFORD – LOW DENSITY RESIDENTIAL NODE**

## 1.0 Objectives

20/12/2024
C102gpla

To ensure that a number of site specific requirements are met.

## 2.0 Requirement before a permit is granted

24/06/2021
C83gpla

Before a permit is granted a development plan must be approved, except where the permit is to construct a single dwelling and associated outbuildings on any lot existing at the approval date, provided it is the only dwelling on the lot.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

The following conditions and/or requirements apply to permits to subdivide the land:

- All residential development must be serviced with sealed roads.
- A concrete footpath to the satisfaction of the responsible authority must be provided along at least one side of each proposed road within the subdivision and the entire extent of Hills Road.
- Hills Road must be upgraded to a 6.2 metre seal width with appropriately designed shoulders, drains and responsive to the roadside native vegetation along Hills Road to the satisfaction of the responsible authority.
- An agreement under Section 173 of the Act to apply to all lots ensuring that no further subdivision is permitted.

## 4.0 Requirements for development plan

20/12/2024
C102gpla

A development plan must include the following requirements:

- A land capability assessment undertaken in accordance with the Environment Protection Authority Publication 746.1 *Land Capability Assessment for Onsite Domestic Wastewater Management 2003* and Council's specific requirements which demonstrates that wastewater can be treated and retained within each proposed allotment of the subdivision successfully. The additional key considerations of the assessment are to:
  - Provide a site map showing variations in land capability based on variations in slope, site drainage, flood potential, seasonal watertable depth, and soil profile characteristics.
  - Recommended areas suitable for higher and lower density development (i.e. larger lots in areas with poorer land capability), in order to minimise environmental impacts, including risks to catchment water quality.
- A minimum lot size of 1 hectare in areas with a land capability rating of 'poor' or 'very poor' for effluent disposal as determined by the Land Capability Assessment.
- A minimum lot size of 1 hectare for all lots abutting the Moorabool River.
- A stormwater management plan detailing how stormwater will be collected and treated within the subdivision and identifying the proposed methods for disposing of stormwater, with particular emphasis on the removal of sediment, prevention of erosion, mitigation of flows and ultimately the protection of the Moorabool River to the satisfaction of the responsible authority. Water sensitive urban design techniques should be considered.
- A detailed flooding impact assessment for the entire site including a detailed survey of the site and bathymetric survey of the Moorabool River. The assessment must also address the following requirements of the Corangamite Catchment Management Authority:

  - Peak flood levels are not increased for the 5 year ARI to 100 year ARI design events.
  - Flood flow paths are not adversely affected by the proposed development.
  - Flood storage volumes are maintained under the full range of design flood events.
  - Existing vegetation function on the floodplain is maintained.

The assessment must also identify the land subject to inundation as a result of any proposed works to the Moorabool River system.

- A Traffic Impact Assessment.

A traffic impact assessment report which considers the impact of traffic movements to and from the subject land on the Midland Highway. The assessment shall consider the impacts of traffic generated by the subject land in addition to pre-existing traffic.

The assessment shall identify an access point from the subject land to the Midland Highway that is acceptable to the Head, Transport for Victoria and the responsible authority, and should consider:

- Sight distances along Midland Highway from the new intersection location (sight lines to the east are restricted by a crest on the highway).
- Integration with the adjacent Blackall Road intersection.
- Closure or truncation of Hills Road (because there are no turning lanes, traffic entering Hills Road from the highway should be limited).
- Access arrangements for future residential development of land to the west of Hills Road.

The assessment should identify projected traffic volumes, the impacts of the increased traffic and the necessary treatments to mitigate these impacts (such as turning lanes). The assessment shall also consider relocation of existing bus stops if required by the intersection treatment and pedestrian and cycle access to the bus stops.

The traffic impact assessment should consider the upgrade of Hills Road and the impact on native vegetation.

The traffic impact assessment report and mitigating works must be completed to the satisfaction of the Head, Transport for Victoria and the responsible authority. All works must be carried out at no cost to Transport for Victoria or the responsible authority.

- A cultural heritage management plan is required to be completed under the *Aboriginal Heritage Act 2006* and should be submitted with the development plan.
- A detailed flora and fauna assessment report prepared by a suitably qualified ecological specialist. The report must include the following, in accordance with 'Victoria's Native Vegetation Management – a Framework for Action' (Government of Victoria 2002):
  - Identification of Ecological Vegetation Classes (EVC's).
  - Identification of any large old trees and medium old trees.
  - Recommendations for avoidance of any vegetation of 'very high' conservation significance, preferably by means of protection within reserves wherever feasible.
  - Recommendations for avoidance of any large old trees and medium old trees, preferably by means of protection within reserves wherever feasible.
  - Recommendations for avoiding and minimising clearing of any other native vegetation.
- A flora and fauna management plan that:
  - Identifies remaining stands of mature indigenous trees to be protected and specify management prescriptions necessary to enhance the health of existing stands and promote the recruitment of new plants.

  - Considers potentially threatening processes, as identified within the *Flora and Fauna Guarantee Act 1988* and recommend how they should be mitigated or managed. In particular, consideration should be given to mature trees which provide valuable hollows used by native fauna for habitat.
  - Provides a plan guiding the installation of utility infrastructure such as roads and reticulated services. This plan builds on the identification of mature stands of trees to be protected and illustrates the three (3) metre exclusion zone radiating from the tree drip line (extent of crown) where the provision of infrastructure is discouraged from locating within.
- A landscaping plan including recommendations of the flora and fauna management plan and the location of and species of proposed vegetation. Proposed species are to be matched to the existing and pre-existing Ecological Vegetation Class (EVC) and be of local provenance. The landscaping plan must show a plantation reserve along the southern boundary of the subject site abutting the Midland Highway and must include a specific design response to the area to be provided as public open space.
- An open space plan which identifies land to be transferred to Golden Plains Shire Council for the purposes of public open space.
- A management plan for the area of land to be provided as public open space which:
  - Ensures all regionally prohibited and regionally controlled weeds are eradicated and thereafter managed.
  - Ensures the control of pest animals prior to the hand over of the public open space to Council.
  - Ensures the retention of natural drainage corridors by providing vegetated buffer zones at least 30 metres wide along waterways.
- All services including reticulated water, phone, power are to be provided underground.
- Building and effluent envelopes are required for lots in the floodway and lots on the ridge at the north eastern corner of the site. The envelopes must ensure appropriate setback requirements are met in relation to the yabby ponds and the drainage line as identified in the concept plan.
- An audit of the entire site must be completed by an environmental professional to determine if the land is contaminated. The land to be developed was previously used for agricultural purposes and therefore this land may be contaminated as a result of chemical storage, chemicals applied to the land or as a result of other farming practices.
- Suitable road, cycle and pedestrian linkages between the site, recreation/open space and the central Batesford township area.
- The staging and anticipated timing of development.
- An overall design response that incorporates all of the appropriate elements listed above into a single plan demonstrating how the subdivision has responded to the requirements of the development plan. The overall design response with respect to the land capability assessment, and the flora and fauna management plan must be developed in consultation with the Department of Energy, Environment and Climate Action (DEECA).

24/06/2021
C83gpla

# SCHEDULE 12 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO12**.

**TOWNSHIP DEVELOPMENT PLAN – LETHBRIDGE**

## 1.0 Objectives

24/06/2021
C83gpla

None specified.

## 2.0 Requirement before a permit is granted

24/06/2021
C83gpla

A permit may be granted to use land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

None specified.

## 4.0 Requirements for development plan

28/07/2021
GC191

A development plan must include the following requirements:

- A plan showing the location, dimension and area of all lots.
- A land capability assessment to determine if lots less than 1 hectare can support the management of onsite wastewater systems.
- Where required, a flora and fauna assessment report which provides a management plan to assist in the protection and management of any identified environmental assets to the satisfaction of the responsible authority.
- An overall landscaping plan and any necessary arrangements for preserving or regenerating existing vegetation.
- A drainage management plan which identifies natural drainage lines and floodways, and provides for the integration of stormwater treatment into the landscape and the protection of water quality.
- If relevant, a traffic impact assessment report considering the impacts of traffic movements at the intersection of Hodges Street and the Midland Highway. The report and any mitigating works must be completed to the satisfaction of the Head, Transport for Victoria and the responsible authority. All works must be carried out at the cost of the applicant.

A development plan must include a subdivision layout plan which:

- Allows for the provision of future infrastructure, including reticulated sewerage.
- Includes wide road reserves capable of accommodating services, footpath infrastructure and planting of native indigenous species.
- Provides convenient and safe pedestrian and cycle networks with linkages to adjoining development, open space and facilities such as schools, shops and sporting grounds.
- Provides road linkages to surrounding areas and integrates with adjoining development.
- Considers the topography of the land, particularly with regard to the provision of useable open space, site elements such as vegetation, waterways or other significant features, and physical infrastructure such as roads and reticulated services (water, sewer, drainage).
- Where relevant, identifies the proposed location of public open space which is:
  - Clearly visible and accessible to residents within the development area.

  - Connected to existing or proposed open space.
  - Integrated with areas and corridors of habitat significance where possible.
- Shows the location of any major infrastructure easements.
- Identifies development stages if proposed.

A development plan must not provide for additional access onto the Midland Highway to service residential development.

20/12/2024
C102gpla

# SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO13**.

**THE MANSE ESTATE**

## 1.0 Objectives

20/12/2024
C102gpla

To ensure the estate is subdivided in accordance with a clear vision and delivers a high quality residential development.

To ensure the estate presents a natural extension of the Shelford Township, fully integrated with the existing town and embrace the particular historic and visual sensitivities of the site.

## 2.0 Requirement before a permit is granted

24/06/2021
C83gpla

None specified.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

The following conditions and/or requirements apply to permits:

- Building envelopes must be identified on any plan of subdivision in accordance with those identified in the approved development plan.
- No additional access shall be provided to the Rokewood-Shelford Road.

## 4.0 Requirements for development plan

24/06/2021
C83gpla

A development plan must include the following requirements:

- Demonstrate the relationship between the proposed subdivision layout, landscaping and design features and the existing heritage, topographic, environmental and visual features of the site.
- Demonstrate how the proposed subdivision and development will integrate with the township and its setting.
- Articulate a vision for the development of the site that includes a schedule of preferred building heights, materials and colours, which respond to the historic and visual sensitivities of the site.
- Include and respond to a land capability assessment, undertaken in accordance with Environmental Protection Authority Publication 746.1 *Land Capability Assessment for Onsite Domestic Wastewater Management 2003,* which demonstrates that wastewater can be treated and retained within each proposed allotment of the subdivision successfully.
- Include a 20 metre wide buffer either side of the waterway which traverses the southern portion of the site, to ensure its protection. A waterway management plan must be prepared for this waterway and the 20 metre buffer either side. The management plan must include detail of the existing environmental values, any initial stabilisation and vegetation works, a maintenance regime and any long term management actions that may be required. This plan should be developed by a suitably qualified and experienced professional.
- Respond to a topographical survey of the site with contours identified at 0.5 metre intervals to ensure development of the site is sensitive to the valley setting of the township, particularly views from the eastern entrance to the Shelford valley as well as ensuring development does not obstruct views between the Manse, Golf Hill and the Presbyterian Church.
- Identify a lot layout including building envelopes which respond to the land capability assessment, topographical survey, water management plan, vegetation management plan and overall landscaping plan including the retention of mature vegetation and provides for the protection of traditional views of the Manse site and the views between the Manse, Golf Hill and the Presbyterian Church.

- Include a stormwater management plan detailing how stormwater will be collected and treated within the subdivision and identifying the proposed methods for disposing of stormwater, with particular emphasis on removal of sediment, prevention of erosion, mitigation of flows and ultimately the protection of the Leigh River to the satisfaction of the responsible authority.
- Identify the future road network and traffic management works showing internal road networks, providing for a high level of access within the development for all vehicular and non-vehicular traffic, responding to the topography of the land and historical features including the existing driveway and entrance which must be integrated into the future road network of the site. The existing and traditional driveway shall be used as the entrance and main internal access road within the subdivision design of the site, with no additional access points from the Rokewood-Shelford Road.
- Identify and respond to projected traffic volumes created by the development of land affected by this development plan, by making provision for necessary treatments of intersections affected (including the existing and historical driveway to the site to be retained as the entrance and internal road access for the site) in accordance with AUSTROADS Publications and Council or VicRoads requirements.
- Demonstrate that there is adequate provision of potable water to service proposed development and/or lots within the subdivision, to the satisfaction of the responsible authority.
- Include a vegetation management plan that identifies existing mature trees on the site and demonstrates how these mature trees will be protected and incorporated into the design of the subdivision and development of the site through building and effluent envelopes and the location of utility infrastructure such as roads and reticulated services. The protection of existing mature trees and avoidance of building and infrastructure should also include a three (3) metre exclusion zone radiating from the tree drip line (extent of crown).
- Provide an overall landscaping plan, in keeping with the historic context of the site and making necessary arrangements for the preservation or regeneration of existing vegetation.
- Show suitable linkages for vehicular, pedestrian and bicycle movement within and from the site to the area identified for future residential to the west of the site as well as the existing township, recreation reserve and primary school.
- Identify the staging and anticipated timing of the development.

20/12/2024
C102gpla

# SCHEDULE 14 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO14**.

**YELLOWGLEN LOW DENSITY RESIDENTIAL DEVELOPMENT**

## 1.0 Objectives

20/12/2024
C102gpla

To ensure a number of site specific requirements are met.

## 2.0 Requirement before a permit is granted

20/12/2024
C102gpla

A permit may be granted to construct a single dwelling and associated outbuildings on any lot created before the approval date of Amendment C61 to this planning scheme provided it is the only dwelling on the lot before a development plan has been prepared to the satisfaction of the responsible authority.

## 3.0 Conditions and requirements for permits

24/06/2021
C83gpla

The following conditions and/or requirements apply to permits to subdivide the land:

- All residential development must be serviced with sealed roads to the satisfaction of the responsible authority.
- All residential development must be connected to reticulated sewerage and water infrastructure to the satisfaction of the responsible authority and Central Highlands Water Authority.
- An agreement under Section 173 of the Act (Section 173 agreement) applied to all lots within 500 metres of the Smythesdale Landfill Premises boundary (land zoned Special Use Zone 2) which acknowledges that part or all of the lot is within 500 metres of the Smythesdale landfill premises (land zoned Special Use Zone 2) and the Smythesdale landfill is a site of regional significance and will be in operation for an indefinite period of time.
- A Section 173 agreement or restriction applied to all allotments (excluding super lots for staging if applicable) preventing any further subdivision.

## 4.0 Requirements for development plan

20/12/2024
C102gpla

A development plan must include the following requirements:

- A subdivision layout plan showing the location, dimension and area of all lots. This plan must be referred to Central Highlands Water. Any development within the south eastern area of the site must be generally consistent with the 'Proposed Subdivision Layout Lake Yellowglen' drawing no: 11118-01-DPO1-11 prepared by TGM dated 28 January 2014.
- A plan showing existing surface contours at 0.25 metre interval to Australian Height Datum.
- An overall landscaping plan that includes any vegetation that is proposed to be managed for the purposes of providing defendable space and any necessary arrangements for preserving or regenerating existing vegetation.
- An open space plan which identifies land to be dedicated for the purposes of public open space and its proposed management.
- A stormwater management plan, which identifies natural drainage lines and floodways, and provides for the integration of stormwater outfall, retardation and treatment into the landscape and the protection of water quality. The report must consider the impact and management of stormwater generated by the development, provision of upstream catchments, details of stormwater outfall and proposed management and ongoing maintenance of existing dam. The report must be completed to the satisfaction of the responsible authority.
- A traffic impact assessment report which:

  - Considers the impact and management of traffic movements to and from the subject land. The report must consider the impact of traffic generated by the subject land in addition to pre-existing traffic and include proposed improvements and upgrades to the existing surrounding road network.
  - Considers the impact of traffic movements at the intersections of the Glenelg Highway/Whites Road, Glenelg Highway/Heales Street and Glenelg Highway/Gardens Street. The assessment must consider the impacts of traffic generated by the fully completed Yellowglen development, namely the area affected by this schedule.
  - Identifies projected traffic volumes, the impacts of increased traffic and treatments to mitigate these impacts. The assessment must also consider pedestrian and cycle links to the Smythesdale town centre. The report must recommend staging of works (if appropriate) and mechanisms to fund the works.

    The traffic impact assessment report and any mitigating works (if required) must be completed to the satisfaction of the Head, Transport for Victoria and the responsible authority. All works must be carried out at no cost to Transport for Victoria or the responsible authority.

- A bushfire management report. The report must show:
  - That all lots created can achieve defendable space separation from building envelopes to the adjoining private bush properties.
  - The provision of adequate water supply to facilitate fire fighting for all lots created.
- A flora and fauna assessment management plan to assist in the protection and management of any identified environmental assets to the satisfaction of the responsible authority.
- Details of existing vegetation to be retained and trees to be removed. This must include a written explanation of the steps that have been taken to:
  - Avoid the removal of native vegetation that makes a significant contribution to Victoria's biodiversity.
  - Minimise impacts on Victoria's biodiversity.
  - Provide an offset in a manner that makes a contribution to Victoria's biodiversity that is equivalent to the contribution made by the native vegetation to be removed.
- Where required, a flood risk report that must consider the following, where applicable:
  - Whether the proposed use or development could be located on flood free land or land with a lesser flood hazard outside of the identified flood extent.
  - The susceptibility of the development to flooding and flood damage.
  - The potential flood risk to life, health and safety associated with the development.
  - A flood study to address flood risk factors including (but not limited to):
    - The frequency, duration, extent, depth and velocity of flooding of the site and access way during a 1 per cent AEP flood event.
    - The flood warning time available.
    - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or access way 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. No floodplain storage is to be lost as part of any development.
  - The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
- A subdivision layout plan which:
  - Ensures any lot fronting and within 75 metres of Bykersmas Road is a minimum of 1 hectare, with a minimum frontage of 100 metres. This only applies to land north of Lot 7 on Plan of Subdivision 608426 to the intersection of Craddocks Road. These lots must not be accessed directly from Bykersmas Road.
  - Provides for main vehicle access points towards the south of the site to minimise traffic impacts on adjoining properties to the north.
  - Provides convenient and safe pedestrian and cycle networks with linkages to adjoining development, open space and facilities such as schools, shops and sporting grounds.
  - Includes wide road reserves capable of accommodating services, footpath infrastructure and landscaping.
  - Details of road reserve widths including typical cross sections of each road type and intended function of road (e.g. bike path, drainage, landscaping).
  - Details of proposed sewer rising main and proposed water main alignment external to the subject site.
  - Makes provision for waterway corridors of recommended width along the full extent of designated waterways within the subject property. Tributaries of these waterways must also be protected with a buffer.
  - Considers the topography of the land, particularly with regard to the provision of useable open space, site elements such as vegetation, waterways or other significant features and physical infrastructure such as roads, reticulated services (water, sewer, drainage), retardation basins and stormwater quality treatment
  - Shows the location of any major infrastructure easements both internal and external to the site
  - Identifies development stages if proposed.

15/11/2018
C075pt1

# SCHEDULE 15 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO15**.

**385 COMMON ROAD INVERLEIGH**

## 1.0 Objectives

15/11/2018
C075pt1

None specified.

## 2.0 Requirement before a permit is granted

15/11/2018
C075pt1

A Development Plan must be approved by the responsible authority prior to a planning permit being granted to subdivide the land into two (2) or more allotments, or prior to granting a planning permit for a dwelling or ancillary building.

## 3.0 Conditions and requirements for permits

15/11/2018
C075pt1

The following conditions and/or requirements apply to permits:

- All residential development must be serviced with sealed roads and footpaths to the satisfaction of the responsible authority.
- A concrete footpath must be provided along the frontage of the site on Common Road, extending from the existing footpath along Common Road and along at least one side of each proposed road within the subdivision.
- Common Road is to be upgraded along the frontage of the site to the satisfaction of the responsible authority.
- A section 173 agreement must be prepared to the satisfaction of the responsible authority regarding the Land Management Plan for all lots abutting the Public Park and Recreation Zone.
- A section 173 agreement must be prepared to the satisfaction of the responsible authority regarding the transfer of all public open space land along the Leigh River to the Golden Plains Shire Council, which shall form the 5% public open space contribution for the subdivision of the subject land.

## 4.0 Requirements for development plan

15/11/2018
C075pt1

A development plan must include the following requirements:

- Provide a site analysis and design response that:
  - demonstrates the relationship between the proposed subdivision layout, landscaping and design features and the topographic, environmental, cultural heritage and rural qualities of the site.
  - demonstrates how the proposed subdivision and development will integrate with the adjoining residential development, the biolink, the river environs, the Inverleigh township and its setting.
  - responds to the recommendations of the technical reports below.
- A traffic assessment that addresses the traffic that will be generated from the development of the land, how this will impact the local street network and what, if any, mitigation measures are required.
- A Stormwater Management Plan detailing how stormwater will be collected and treated within the subdivision and identifying the proposed methods for disposing of stormwater, with particular emphasis on the removal of sediments, prevention of erosion, mitigation of flows and ultimately the protection of the Leigh River to the satisfaction of the responsible authority.

- A Land Capability Assessment undertaken in accordance with Environment Protection Authority Publication 1364 Draft EPA Code of Practice – Onsite Wastewater Management 2010 which demonstrates that wastewater can be treated and retained within each proposed allotment to the satisfaction of the responsible authority.
- A Landslip Risk Assessment that identifies risk categories for the land and how these areas should be managed.
- A Flora and Fauna Management Plan that identifies:
  - and provides assessment of the health and recommended treatment for all scattered trees in the Low Density Residential Zone.
  - and protects mature trees and specifies management prescriptions necessary to enhance the health and longevity and promotes recruitment of new plants in their vicinity for trees in the Public Park and Recreation Zone.
  - tree protection zones for all mature trees, to ensure their protection. All tree protection zones must be wholly contained within the subject lot.
- A Landscaping Masterplan incorporating the Flora and Fauna Management Plan recommendations and the location and species of proposed vegetation. Proposed species are to be to the satisfaction of the responsible authority.
- The staging of development.
- A Land Management Plan that:
  - applies to all land from the top of the escarpment to the northern boundary of the adjoining Public Park and Recreation Zone.
  - specifies no buildings or works aside from specified boundary fencing for the specified land.
  - restricts boundary fencing to post and wire construction, to the satisfaction of the responsible authority.
  - prohibits wastewater envelopes (wholly or partially) from the specified area.
  - permits access only to vehicles associated with the maintenance and/or rehabilitation of the specified land. Maintenance and/or rehabilitation treatment consists of pest plans and/or animals, revegetation, fencing repair or replacement.
  - prohibits motorbikes or other motorised vehicles in the specified area for recreation or other purposes, other than specified above

18/07/2019
C074gpla

# SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO16**.

**BARRABOOL VIEWS NORTH**

## 1.0 Objectives

18/07/2019
C074gpla

None specified.

## 2.0 Requirement before a permit is granted

18/07/2019
C074gpla

None specified.

## 3.0 Conditions and requirements for permits

18/07/2019
C074gpla

The following conditions and/or requirements apply to permits:

- Before the issue of a Statement of Compliance, or any other time which the responsible authority agrees, an all weather perimeter road must be constructed on the western, northern and eastern boundaries of the development plan area to the satisfaction of the responsible authority.
- Before the issue of a Statement of Compliance, or any other time which the responsible authority agrees, all residential development must be serviced with sealed roads that have a minimum width of 25 metres to the satisfaction of the responsible authority.
- Before the issue of a Statement of Compliance, or any other time which the responsible authority agrees, a concrete footpath must be provided along one side of all sealed road within the subdivision to the satisfaction of the responsible authority.
- Before the issue of a Statement of Compliance, or any other time which the responsible authority agrees, Hopes Plains Road must be constructed and sealed from the entry of the subdivision to the corner of Faulkner Road to the satisfaction of the responsible authority.
- All stormwater discharging from the subject site, including to the south through the existing subdivision, shall be limited to pre-development flows or less in accordance with recommendations of a Stormwater Management Plan approved by and to the satisfaction of the responsible authority.
- Before the certification of a plan of subdivision or at such other time which is agreed between the responsible authority and the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 (the Act) which provides for:
  - The prohibition of the construction of buildings, including outbuildings, within the northern, western and eastern interface defendable space areas in accordance with the Land/Bushfire Management Plan.
  - Acknowledgment that the land adjoins rural uses, including operating farming properties, and that at times there may be off-site affects associated with the neighbouring rural use.
  - The construction of upgrade treatments at the intersection of Hopes Plains Road and the Hamilton Highway prior to the issue of Statement of Compliance for the first stage of subdivision.
  - The payment of a $95,000 contribution for the maintenance of Hopes Plains Road prior to the issue of Statement of Compliance for the first stage of subdivision.
  - Application must be made to the Register of Titles to register the section 173 agreement/s on the title under section 181 of the Act. The owner must pay the cost of the preparation, (and) execution and registration of the section 173 agreement.

## 4.0 Requirements for development plan

18/07/2019
C074gpla

A development plan must include the following requirements:

- A site analysis and design response that demonstrates that the proposed subdivision and development will integrate with the adjoining residential development.
- An overall plan that incorporates the recommendations of the Environmental Site Assessment, Stormwater Management Plan, Flora and Fauna Management Plan, Landscape Plan, Onsite Wastewater Management Plan, Land/Bushfire Management Plan and Staging Plan.
- A subdivision layout design that:
  - Provides a 6 metre perimeter road on the north, east and west boundaries of the site for emergency access
  - Provides for all residential development to be serviced with sealed roads that have a minimum road reserve width of 25 meters
  - Makes provision for at least one north-south access road in addition to Hopes Plains Road to enable movement away from bushfire risk associated with the Inverleigh Nature Conservation Reserve
  - Integrates road access with the existing residential development to the south via Falkirk Crescent
  - Provides that no lot directly adjoins the Inverleigh Golf Course or Inverleigh Nature Conservation Reserve unless separated by a perimeter road
  - Provides for future subdivision and development in accordance with the *Infrastructure Design Manual*, Local Government Infrastructure Design Association.
- An Environmental Site Assessment prepared by a suitably qualified environmental professional that:
  - Provides a detailed assessment of potential contaminants on the land
  - Provides clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit in accordance with Part IXD of the Environment Protection Act 1970 of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005 DSE.
  - Where the Environmental Site Assessment determines an environmental audit is required, provides advice confirming that: (a) a Certificate of Environmental Audit has been issued in accordance with Section 53Y of the Environment Protection Act 1970; or (b) a Statement of Environmental Audit has been issued in accordance with Section 53Z of the Environment Protection Act 1970 and the site is suitable for the intended use(s).
- A Stormwater Management Plan that:
  - Details how stormwater will be collected and treated within the subdivision and identifying the proposed methods for disposing of stormwater.
  - Identifies how all stormwater discharging from the subject site, including through the south through the existing subdivision, shall be limited to pre-development flows or less.
- A Flora and Fauna Management Plan that:
  - Incorporates the findings of the Land/Bushfire Management Plan
  - Identifies and provides assessment of the health and recommended treatment for all scattered trees
  - Identifies vegetation protection envelopes for all lots containing mature trees where all vegetation envelopes must be wholly 00contained within a single proposed allotment.

- A Landscape Plan that:
  - Incorporates the findings of the Flora and Fauna Management Plan
  - Identifies the proposed location and species of proposed vegetation
- A Land Capability Assessment undertaken in accordance with Environment Protection Authority Publication 891.4 Code of Practice – Onsite Wastewater Management, or as amended, which demonstrates that wastewater can be treated and retained within each proposed allotment.
- A Land/Bushfire Management Plan prepared by an appropriately qualified professional in consultation with the Country Fire Authority and the responsible authority. The Plan must be generally in accordance with the Bushfire Planning Assessment, 230 Hopes Plains Road, Inverleigh, 29 June 2019 by Ecotide and Addendum to Bushfire Planning Assessment, 230 Hopes Plains Road, Inverleigh, 29 June 2019 by Ecotide. The plan must:
  - Identify development areas capable of meeting a BAL - 12.5 rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009) and design measures to restrict development outside these areas
  - Identify design measures to mitigate bushfire risk, including suitable separation distances and management of vegetation
  - Provide for a 6 metre wide emergency access and egress perimeter road constructed to an all-weather standard around the western, northern and eastern boundaries of the area. The perimeter road must be trafficable to allow emergency vehicle access and egress, clear of any obstructions and gated at all entry points.
- A Staging Plan.

21/12/2023
C103gpla

# SCHEDULE 17 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO17**

**DARDEL DRIVE AND MOWBRAY PLACE, BANNOCKBURN**

## 1.0 Objectives

21/12/2023
C103gpla

To facilitate coordinated urban development and integration with the surrounding area.

## 2.0 Requirement before a permit is granted

21/12/2023
C103gpla

The following conditions and/or requirements apply to permits:

- A permit must contain conditions or requirements which give effect to the Development Plan.

## 3.0 Conditions and requirements for permits

21/12/2023
C103gpla

A permit must contain conditions or requirements which give effect to the Development Plan.

## 4.0 Requirements for development plan

21/12/2023
C103gpla

A Development Plan must include the following requirements:

An **Urban Design Masterplan** that includes:

- A street layout that includes the general distribution of lot sizes showing a variety of lot sizes and densities to encourage a variety of housing types.
- A subdivision design which provides a positive identity and contributes to the amenity and safety of all surrounding roads by ensuring all development addresses road frontages and does not back onto these roads.
- A target residential density of 15 dwellings per net developable hectare across the whole growth area with medium density housing (20 dwellings per hectare) encouraged near public open space.
- Urban design cross-sections for all road types.
- The general sequence by which the development of the land is to proceed, including the staging of the drainage and road infrastructure required linked to a staging plan.

An **Integrated Water Management Plan** that takes an integrated approach stormwater and drainage management and is designed with reference to the open space reserve.

- A Drainage Strategy that addresses:
- Stormwater Quality Management.
- Peak Discharge Management.
- Functional Peak Flood Level Determination.
- Identification of all land to be set aside for drainage purposes, detailing the approximate size and location of the drainage reserve and WSUD elements to meet Best Practice Environmental Management Guidelines.
- A stormwater management system that ensures peak discharge rates of all stormwater leaving the site post development are no greater than pre-development and that ensures no adverse impacts to any surrounding area, upstream or downstream.

A **Road Network and Traffic Management Plan** that includes:

- An internal road network with a high level of access for all vehicular and non-vehicular traffic.
- Safe sight lines to all property access and internal roads.

A **Development Sequencing Plan** that must include:

- The sequence in which the initial development of the Development Plan area is to proceed and identification of likely direction of development shown in a Staging Plan.
- The staging and early provision of stormwater management infrastructure.
- Any interim termination of roads which may be extended in the future across site boundaries must be designed and constructed to allow for functional vehicular movement during that interim period.
- Evidence that reticulated water supply and sewerage services can be provided to the land in a timely and efficient manner.

A **Landscape Masterplan** for the subdivision which utilises indigenous plant species throughout.

# 44 LAND MANAGEMENT OVERLAYS

19/01/2006
VC37

# 44.02 SALINITY MANAGEMENT OVERLAY

31/07/2018
VC148

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

### Purpose

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

To identify areas subject to saline ground water discharge or high ground water recharge.

To facilitate the stabilisation of areas affected by salinity.

To encourage revegetation of areas which contribute to salinity.

To encourage development to be undertaken in a manner which brings about a reduction in salinity recharge.

To ensure development is compatible with site capability and the retention of vegetation, and complies with the objectives of any salinity management plan for the area.

To prevent damage to buildings and infrastructure from saline discharge and high watertable.

## 44.02-1 Salinity management objectives and statement of risk

31/07/2018
VC148

A schedule to this overlay may contain:

- Salinity management objectives to be achieved.
- A statement of risk.

## 44.02-2 Buildings and works

14/12/2023
VC253

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 salinity management works carried out in accordance with any Regional Catchment Strategy and associated plan applying to the land.
- To an alteration to an existing building where there is no increase in floor area and no increase in waste water disposal. This exemption does not apply to alterations required as part of remedial works for salt or high water table damage.
- To a building used for agriculture with a floor area of less than 100 square metres where there is no increase in waste water disposal.

### 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 for:<br>▪ A carport, garage, pergola, verandah, deck, shed or similar structure.<br>▪ A rainwater tank.<br>The buildings and works must be associated with a dwelling or a small second dwelling. | Clause 59.05 |

## 44.02-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

## 44.02-4 Removal of vegetation

31/07/2018
VC148

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.02-5 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

## 44.02-5 Table of exemptions

16/08/2024
VC262

| The requirement to obtain a permit does not apply to: | |
|---|---|
| **Emergency works** | Vegetation that is to be removed, destroyed or lopped:<br>▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency work; or<br>▪ where it presents an immediate risk of personal injury or damage to property and only the part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Extractive industry** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Fire protection** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:<br>▪ fire fighting;<br>▪ planned burning;<br>▪ 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;<br>▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*);<br>▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation;<br>▪ in accordance with a fire prevention notice issued under either:<br>– section 87 of the *Fire Rescue Victoria Act 1958*;<br>– section 65 of the *Forests Act 1958*; or<br>– section 41 of the *Country Fire Authority Act 1958*.<br>▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;<br>▪ minimise 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*.<br>*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.* |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| **Geothermal energy exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| **Greenhouse gas sequestration and exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Land management or directions notice** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| **Land use conditions** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| **Mineral exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:<br>▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or<br>▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.<br>*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.* |
| **Noxious weeds** | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*). |
| **Pest animal burrows** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.<br>In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |
| **Planted vegetation** | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| **Railways** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Regrowth** | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:<br>▪ bracken (*Pteridium esculentum*); or<br>▪ 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.<br>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 *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of the Stone exploration.<br>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: |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | ▪ 1 hectare of vegetation which does not include a tree.<br>▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.<br>▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>This exemption does not apply to costeaning and bulk sampling activities. |
| **Surveying** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:<br>▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or<br>▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017). |
| **Tram stops** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter. |
| **Transport land** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure. |

## 44.02-6 Application requirements

31/07/2018
VC148

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

- The source of water supply.
- Water use requirements and effluent or water disposal provision.
- Any existing vegetation proposed to be removed.
- Details of the species, location and density of any proposed landscaping.
- The water balance under the current land use and any proposed land use.
- Title and ownership details.
- Topographic information including natural contours of the land, highlighting significant ridges, hill tops and crests, slopes in excess of 25 percent (1:4), low lying areas, drainage lines, waterways, springs, dams, lakes, wetlands and other environmental features on or in close proximity to the subject area.
- Geology types.
- Location and area of outcropping bedrock.
- Soil types.
- Size and location of high recharge areas and discharge areas from the site inspection, soil types, soil depth, and soil percolation rates/infiltration.
- Size and location of discharge areas and areas of high salinity risk from the site inspection, including the identification of shallow watertable within 3 metres of the surface (depth to watertable), and soil salinity from soil tests or vegetative indicators.

- Area of land and the proportion of the development site identified as high recharge or discharge areas.
- Location, species and condition of existing vegetation (both native and exotic species).
- Existing degraded areas and recommendations for land management practices and remedial works required to overcome any existing or potential land degradation.
- Any other application requirements specified in a schedule to this overlay.

## 44.02-7 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 44.02-8 Referral of applications

31/07/2018
VC148

An application under this overlay and any site capability report must be referred to the specified referral authority in accordance with 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 referral authority.

## 44.02-9 Decision guidelines

01/07/2021
VC203

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 potential risks and impacts of saline discharges to the environmental quality of water and groundwater.
- The Regional Landcare Plan applicable to the catchment.
- The Catchment Salinity Management Plan to the particular catchment.
- A Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995.
- The need to remove, destroy or lop vegetation to a create defendable space to reduce the risk of bushfire to life and property.
- The need to augment tree planting and the establishment of deep-rooted, high water-use pasture species to reduce rainfall accessions to the watertable in high recharge areas.
- The need for planting of salt-tolerant species to stabilise and lower ground water levels in discharge areas.
- The need for stock-proof fencing of discharge and high discharge areas to enable effective stock management for site stabilisation.
- Any proposed landscaping and the need to preserve existing vegetation, particularly in high recharge and high discharge areas.
- Any land management plan, works program, or farm plan applicable to the land.
- The design, siting and servicing of the development and the extent of earthworks.
- The appropriateness of the proposed use or development having regard to the sensitivity and constraints of the land and the capability of the land to accommodate the use or development.
- Any other matters specified in a schedule to this overlay.

24/06/2021
C83gpla

# SCHEDULE TO CLAUSE 44.02 SALINITY MANAGEMENT OVERLAY

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

## 1.0 Salinity management objectives to be achieved

24/06/2021
C83gpla

None specified.

## 2.0 Statement of risk

24/06/2021
C83gpla

None specified.

## 3.0 Permit requirement

24/06/2021
C83gpla

None specified.

## 4.0 Application requirements

24/06/2021
C83gpla

None specified.

## 5.0 Decision guidelines

24/06/2021
C83gpla

None specified.

# 44.03 FLOODWAY OVERLAY

01/07/2021
VC203

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

### Purpose

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

To identify waterways, major floodpaths, drainage depressions and high hazard 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* if a declaration has been made.

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 and wetland health, waterway protection and flood plain health.

## 44.03-1 Floodway objectives and statement of risk

31/07/2018
VC148

A schedule to this overlay may contain:

- Floodway management objectives to be achieved.
- A statement of risk.

## 44.03-2 Buildings and works

14/12/2023
VC253

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.

## 44.03-3 Subdivision

31/07/2018
VC148

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 overlay. 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.

## 44.03-4 Application requirements

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.

### 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, which must consider the following, where applicable:

- The Municipal Planning Strategy and the Planning Policy Framework.
- 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 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 river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- An application must be accompanied by any information specified in a schedule to this overlay.

## 44.03-5 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 44.03-6 Referral of applications

31/07/2018
VC148

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

## 44.03-7 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.
- Any other matters specified in a schedule to this overlay.

05/09/2019
C80gpla

## SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as **FO1.**

**INVERLEIGH**

### 1.0 Floodway objectives to be achieved

05/09/2019
C80gpla

None specified.

### 2.0 Statement of risk

05/09/2019
C80gpla

None specified.

### 3.0 Permit requirement

05/09/2019
C80gpla

A permit is not required to construct or carry out the following:

- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Repairs and routine maintenance that do not affect the height, length or location of a levee or embankment.
- A rainwater tank with the capacity of not more than 50,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- Sports grounds with no grandstands or raised viewing areas.
- Playgrounds, picnic shelters or barbecues.
- Bicycle pathways and trails where there is no increase in the natural ground level.
- An upper storey extension to an existing building within the existing building footprint provided that the extension does not require a new or altered on site waste water treatment system.

### 4.0 Application requirements

20/12/2024
C102gpla

The following application requirements apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.03 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Flood Risk Report in accordance with Clause 44.03.

### 5.0 Decision guidelines

05/09/2019
C80gpla

None specified.

# 44.04 LAND SUBJECT TO INUNDATION OVERLAY

06/09/2021
VC171

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

## Purpose

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

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

## 44.04-1 Land subject to inunadation objectives and statement of risk

24/01/2020
VC160

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

## 44.04-2 Buildings and works

14/12/2023
VC253

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 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

### 44.04-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

### 44.04-5 Local floodplain development plan

31/07/2018
VC148

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

### 44.04-6 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### 44.04-7 Referral of applications

31/07/2018
VC148

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

### 44.04-8 Decision guidelines

06/09/2021
VC171

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- Alternative design or flood proofing responses.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:

  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - Tidal patterns.
  - Coastal inundation and erosion.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.
- Any other matters specified in a schedule to this overlay.

05/09/2019
C80gpla

# SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO1**.

## 1.0 Land subject to inundation objectives to be achieved

05/09/2019
C80gpla

None specified

## 2.0 Statement of risk

05/09/2019
C80gpla

None specified

## 3.0 Permit requirement

05/09/2019
C80gpla

A permit is not required to construct or carry out the following:

- A non-habitable building with a floor area of less than 50 square metres.
- An extension to a non-habitable building, provided that the total ground floor areas of the building are less than 50 square metres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 millimetres above ground level and a maximum building height of 3 metres above ground level.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A telecommunications facility.
- An upper storey extension to an existing building within the existing building footprint provided that the extension does not require a new or altered on site waste water treatment system.
- A rainwater tank with a capacity of not more than 50,000 litres.
- An agricultural shed with open sides.
- Earthworks that do not raise ground level topography by more than 200 millimetres and does not include the removal, destruction or lopping of trees and the removal of vegetation or topsoil.
- Repairs and routine maintenance that do not affect the height, length or location of a levee, embankment or road.
- Open sports ground with no grandstands or raised viewing areas.
- Playgrounds, picnic shelters and barbeques.
- A protective wall or levee bank around an existing dwelling and its curtilage, providing it protects an area (including the foot print of the protective wall and levee bank) less than 200 square metres.
- Works to any access way or path (public or private) that do not change the finished level of the surface.
- Bicycle Pathways or Trails where there is no increase in the natural ground level.

## 4.0 Application requirements

05/09/2019
C80gpla

None specified.

## 5.0 Decision guidelines

05/09/2019
C80gpla

None specified.

# 44.06 BUSHFIRE MANAGEMENT OVERLAY

31/07/2018
VC148

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

### Purpose

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

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

## 44.06-1 Bushfire management objectives and application of schedules

19/09/2017
VC132

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

## 44.06-2 Permit requirement

14/12/2023
VC253

### Subdivision

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

### Buildings and works

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a moveable unit as defined under the *Housing Act 1983*)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a small second dwelling that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a small second dwelling) that is less than 10 percent of the gross floor area of the existing building.

- A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.
- A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

## 44.06-3 Application requirements

20/03/2023
VC229

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.
- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.
- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

## 44.06-4 Requirements of Clause 53.02

31/07/2018
VC148

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

## 44.06-5 Mandatory condition

31/07/2018
VC148

### Subdivision

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

*"Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:*

- *State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.*
- *Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.*
- *State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.*

*The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement."*

This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

**Buildings and works**

A permit to construct a building or construct or carry out works must include the following condition:

*"The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed."*

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

*"Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:*

- *A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class10c building within the meaning of the Building Regulations 2006) is:*
  - *Constructed on the same land as the dwelling.*
  - *Available for use by the occupants of the dwelling at all times.*
  - *Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.*

*The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement."*

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

## 44.06-6 Referral of applications

19/09/2017
VC132

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

## 44.06-7 Notice and review

31/07/2018
VC148

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

## 44.06-8 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any other matters specified in a schedule to this overlay.

## 44.06-9 Transitional arrangements

19/09/2017
VC132

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and
- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres,
    is provided to the satisfaction of the responsible authority.
- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.

# 45 OTHER OVERLAYS

19/01/2006
VC37

## 45.01 PUBLIC ACQUISITION OVERLAY

31/07/2018
VC148

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

### Purpose

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

To identify land which is proposed to be acquired by a Minister, public authority or municipal council.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

## 45.01-1 Permit required

14/12/2023
VC253

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 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 45.01-3 Referral of applications

28/10/2013
VC102

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

## 45.01-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material or a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

## 45.01-5 Land not to be spoiled or wasted

19/01/2006
VC37

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

## 45.01-6 Reservation for public purpose

19/01/2006
VC37

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the *Planning and Environment Act 1987*, the *Land Acquisition and Compensation Act 1986* or any other act.

## 45.01-7 Acquiring authority

28/10/2013
VC102

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.

28/10/2013
VC102

# SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0
24/06/2021
C83gpla

## Public acquisition

| PS Map | Acquiring Authority | Purpose of Acquisition |
|---|---|---|
| **PAO1** | Head, Transport for Victoria | Proposed Road, Category 1 (Midland Highway - Meredith Bypass) and Road Widening (Hamilton Highway) |

## 45.05 RESTRUCTURE OVERLAY

31/07/2018
VC148

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

### Purpose

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

To identify old and inappropriate subdivisions which are to be restructured.

To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

## 45.05-1 Subdivision

01/07/2021
VC203

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all waste water and the risks to human health and the environment of a on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

## 45.05-2 Dwellings and other buildings

19/01/2006
VC37

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

## 45.05-3 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 45.05-4 Decision guidelines

01/01/2024
VC250

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

- The objectives of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.
- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.
- The availability of utility services, including sewerage, water, drainage, electricity, telecommunications, and, where the subdivision is not a residential subdivision, gas.
- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.
- The effect on surrounding uses, especially agricultural uses and nearby public land.
- The design of buildings.

04/10/2007
C31

# SCHEDULE TO CLAUSE 45.05 RESTRUCTURE OVERLAY

## 1.0

25/11/2022
C91gpla

## Restructure plan

| PS Map reference | Land | Title of restructure plan |
|---|---|---|
| RO13 | Illabarook Environs, at the corner of Cape Clear – Rokewood Road and Illabarook Football Ground Road, Illabarook. | Restructure Plan No. 1 – Illabarook Environs |

## 45.12 SPECIFIC CONTROLS OVERLAY

04/05/2022
VC210

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

### Purpose

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

## 45.12-1 Use or development

31/07/2018
VC148

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

## 45.12-2 Expiry of a specific control

31/07/2018
VC148

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

10/09/2020
C89gpla

# SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

1.0
24/05/2022
C100gpla

## Specific controls

| PS Map Ref | Name of incorporated document |
|---|---|
| SCO1 | Gheringhap Service Station Advertising Signage Incorporated Document, July 2020 |
| SCO2 | Golden Plains Wind Farm Incorporated Document (May 2022) |

## 45.03 ENVIRONMENTAL AUDIT OVERLAY

01/07/2021
VC203

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

### Purpose

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

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

### Application

This provision applies to land in an Environmental Audit Overlay and applies whether or not a permit is required.

## 45.03-1 Requirement

04/05/2022
VC210

Before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.

### Exemption from requirement

The requirement for a preliminary risk screen assessment statement, an environmental audit statement, a certificate of environmental audit or a statement of environmental audit in this provision does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children’s playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
- The buildings and works are required by the Environment Protection Authority or an environmental auditor appointed under the *Environment Protection Act 2017* to make the site suitable for use; or
- The buildings and works are reasonably required by environmental auditor appointed under the *Environment Protection Act 2017* or the *Environment Protection Act 1970* to undertake a preliminary risk screen assessment or environmental audit.

## 50 PARTICULAR PROVISIONS

19/01/2006
VC37

This section sets out Particular Provisions which apply to the matters specified.

# 51 PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA

31/07/2018
VC148

# 51.01 SPECIFIC SITES AND EXCLUSIONS

31/07/2018
VC148

## Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

## 51.01-1 Use or development

31/07/2018
VC148

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

## 51.01-2 Expiry of a specific control

31/07/2018
VC148

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

31/07/2018
VC148

# SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

## 1.0

20/12/2024
C102gpla

## Specific sites and exclusions

| Address of land | Title of incorporated document |
|---|---|
| 45 Pioneer Ridge Road, Meredith, (Crown Allotment 28F, Parish of Meredith, Vol.10910, Fol.681) | 45 Pioneer Ridge Road, Meredith, Crown Allotment 28F, Parish of Meredith, Vol.10910, Fol.681 (May 2014) |
| Ryans Road, Gheringhap | Ryans Road, Gheringhap (March 1999) |
| The Mildura Line (Gheringhap to Yelta) shown on the project area maps in the incorporated document. | Rail Gauge Standardisation Project, Integrated Approval Requirements (Department of Infrastructure, December 2002) |
| The existing rail corridor for the ARTC Standard Gauge Western Mainline shown on the project area maps for the Rail Upgrades at Geelong Port Project. | Rail Upgrades at Geelong Port Project (May 2010) |

# 52 PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

31/07/2018
VC148

# 52.01 COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

05/11/2020
VC191

## Purpose

To facilitate the rectification of combustible cladding on buildings.

## 52.01-1 Permit exemption

05/11/2020
VC191

Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*.
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act.

## 52.01-2 Exemption from notice and review

05/11/2020
VC191

An application to amend a permit to allow the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*; or
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act,

is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

# 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

20/09/2010
VC71

## Purpose

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

## Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the *Subdivision Act 1988* to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 24A of the *Subdivision Act 1988*.
- Under Section 36 of the *Subdivision Act 1988* to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the *Planning and Environment Act 1987*.
- If the person proceeds under Section 362A of the *Land Act 1958*.
- In the case of a person proceeding under Section 36 of the *Subdivision Act 1988*, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the *Subdivision Act 1988*.

In this clause, **restriction** has the same meaning as in the *Subdivision Act 1988*.

## Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

*Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.*

19/01/2006
VC37

# SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

## 1.0 Under Section 23 of the Subdivision Act 1988

24/06/2021
C83gpla

| Land | Easement or restriction | Requirement |
|---|---|---|
| None specified | | |

## 2.0 Under Section 24A of the Subdivision Act 1988

24/06/2021
C83gpla

| Land | Person | Action |
|---|---|---|
| None specified | | |

## 3.0 Under Section 36 of the Subdivision Act 1988

24/06/2021
C83gpla

| Land | Easement or right of way | Requirement |
|---|---|---|
| None specified | | |

# 52.03 LEVEL CROSSING REMOVAL PROJECT

31/01/2020
VC170

## Purpose

To facilitate the Level Crossing Removal Project.

## 52.03-1 Application

31/01/2020
VC170

This clause applies to the use and development of land (other than the subdivision of land) for projects undertaken by the Level Crossing Removal Project and declared under section 10(1)(b) of the *Major Transport Projects Facilitation Act 2009*.

This clause does not apply to a project for which a document has been incorporated into this planning scheme expressly for that project.

## 52.03-2 Exemption from planning scheme requirements

31/01/2020
VC170

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this Clause 52.03 applies to if the requirements of Clause 52.03 are met.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

## 52.03-3 Use and development requirements

20/01/2022
VC205

The use and development of land must be undertaken in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be undertaken to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of acquisition is for a road, must be undertaken to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be undertaken to the satisfaction of the relevant acquiring authority.

## 52.03-4 Consultation requirement

31/01/2020
VC170

Prior to the commencement of the use or development:

- Public consultation, and consultation with the relevant municipal council, must be undertaken to the satisfaction of the Minister for Planning.
- A report that summarises the feedback provided during consultation and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

## 52.03-5 Project boundary requirement

31/01/2020
VC170

Prior to the commencement of the use or development, a plan that shows the boundary of the land on which the use or development will be undertaken must be prepared to the satisfaction of the Minister for Planning.

## 52.03-6 Other pre-commencement requirements

04/05/2022
VC210

The following requirements may be satisfied for separate components or stages of a project but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.

The following requirements may be varied or waived by the Minister for Planning.

Prior to the commencement of the use or development (other than a preparatory use or development), the following plans and documents must be prepared to the satisfaction of the Minister for Planning:

- An environmental management framework, prepared in consultation with each relevant municipal council, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including auditing, to ensure environmental and amenity effects are reduced and managed during construction.
  - A summary of how each relevant municipal council, the community and other stakeholders will be engaged during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the land is in the Heritage Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2:
  - A report that addresses the impact of that development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of that development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2, a report that addresses the impact of the development on any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

Prior to the commencement of the use of any new open space, an environmental assessment (or similar) that demonstrates that the environmental conditions of the land are suitable for that use must be undertaken to the satisfaction of the Minister for Planning.

## 52.03-7 Native vegetation requirements

20/03/2023
VC229

In this clause:

- ***Guidelines*** *means the Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning *(as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)*.

The following requirements may be satisfied for separate components or stages of a project. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

Prior to the removal, destruction or lopping of native vegetation to enable a preparatory use or development, information about that native vegetation must be submitted to the Secretary. The information must include a description of, and maps showing, the native vegetation to be removed, destroyed or lopped in accordance with application requirement 1 in Table 4 of the Guidelines.

Prior to the removal, destruction or lopping of native vegetation (other than to enable a preparatory use or development):

- Information about that native vegetation in accordance with application requirements 1, 5 and 9 in Table 4 of the Guidelines must be provided to the satisfaction of the Secretary. The information provided to the Secretary must include information about any native vegetation that has been or is to be removed, destroyed or lopped to enable a preparatory use or development.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines. The biodiversity impacts from the removal, destruction or lopping of native vegetation to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The Secretary may vary the timing of the above offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for the project may be reconciled at the completion of a project in accordance with the *Assessor's handbook – Applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, October 2018).

## 52.03-8 Preparatory use and development

31/01/2020
VC170

For the purposes of Clause 52.03, a preparatory use or development is a use or development required to prepare for the construction of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.03-2.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, and overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be undertaken in compliance with:
  - a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.

- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of Clause 52.03, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

# 52.04 TRANSITIONAL PROVISIONS FOR A DEPENDENT PERSONS UNIT

14/12/2023
VC253

## 52.04-1 Purpose

28/03/2024
VC259

To provide transitional provisions for the use or development of land for a dependent person's unit.

## 52.04-2 Application

28/03/2024
VC259

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 Exemption from planning scheme requirements

28/03/2024
VC259

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 Operation of use of land requirements

03/03/2025
VC266

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.

## 52.04-5 Use of land requirements

25/02/2025
VC257

### 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**<br>**Residential Growth Zone**<br>**General Residential Zone**<br>**Neighbourhood Residential Zone**<br>**Housing Choice and Transport Zone** | Must be the only dependent person's unit on the lot. |
| **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.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **Farming Zone** | Must be the only dependent person's unit on the lot.<br>Must meet the requirements of clause 52.04-8.<br>Must be located more than one kilometre from the nearest title boundary of land subject to:<br>▪ A permit for a wind energy facility; or<br>▪ An application for a permit for a wind energy facility; or<br>▪ An incorporated document approving a wind energy facility; or<br>▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.<br>Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |
| **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.<br>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 *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*.<br>▪ 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 *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*. |
| **Urban Growth Zone** | Must be the only dependent person's unit on the lot.<br>Must meet the requirements of clause 52.04-8. |

**Table 2 - Permit required**

| Zone | Condition |
|---|---|
| **Low Density Residential Zone**<br>**Township Zone** | Must meet the requirements of clause 52.04-7. |
| **Green Wedge Zone**<br>**Green Wedge A Zone**<br>**Rural Conservation Zone** | Must be the only dependent person's unit on the lot.<br>Must meet the requirements of clause 52.04-8. |
| **Rural Living Zone**<br>**Farming Zone**<br>**Rural Activity Zone** | Must meet the requirements of clause 52.04-8. |
| **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** |

## 52.04-6 Use of land requirements in a specified special purpose zone

28/02/2025
VC274

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'.

## 52.04-7 Use of land requirements in a Low Density Residential Zone and a Township Zone

28/03/2024
VC259

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.

## 52.04-8 Use of land requirements in a rural zone and an Urban Growth Zone

28/03/2024
VC259

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 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 Use of land requirements in an Airport Environs Overlay and Melbourne Airport Environs Overlay

28/03/2024
VC259

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 Buildings and works requirements in a specified overlay

03/03/2025
VC266

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 Decision guidelines

28/03/2024
VC259

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 Expiry

03/03/2025
VC266

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 SIGNS

31/07/2018
VC148

## Purpose

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

## 52.05-1 Application

31/07/2018
VC148

This clause applies to the development of land for signs.

## 52.05-2 Requirements

28/02/2025
VC274

### 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:<br>▪ The sign is not within 30 metres of land (not a road) which is in a residential zone. | Clause 59.09 |

| Class of application | Information requirements and decision guidelines |
|---|---|
| ▪ The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.<br>▪ The display area of the sign does not exceed 10 square metres. | |

## 52.05-3 Referral of applications

31/07/2018
VC148

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

## 52.05-4 Expiry of permits

27/10/2025
VC294

A permit for a major promotion sign expires on the date specified in the permit in accordance with clause 52.05-9. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

A permit for a promotion sign that promotes goods, services, an event or any other matter not provided, undertaken or sold on the land or in the building on which the sign is sited expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

## 52.05-5 Existing signs

31/07/2018
VC148

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

## 52.05-6 Application requirements

20/01/2022
VC205

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

### Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.

- The location and form of existing signage on abutting properties and in the locality.
- The location of closest traffic control signs.
- Identification of any view lines or vistas that could be affected by the proposed sign.

**Sign details**

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

**Signs with a display area of 18 square metres or more**

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Transport Zone 2, Transport Zone 3, a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

## 52.05-7 Exemption from notice and review

31/07/2018
VC148

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

## 52.05-8 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**All signs**

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
  - The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
  - The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
  - The consistency with any identifiable outdoor advertising theme in the area.
- Impacts on views and vistas:
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.
- The relationship to the streetscape, setting or landscape:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
- The relationship to the site and building:
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.
- The impact of structures associated with the sign:
  - The extent to which associated structures integrate with the sign.
  - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.
- The impact of any illumination:
  - The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporally or in terms of intensity.
- The impact of any logo box associated with the sign:
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.

  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

- The need for identification and the opportunities for adequate identification on the site or locality.
- The impact on road safety. A sign is a safety hazard if the sign:
  - Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
  - Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
  - Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
  - Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
  - Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
  - Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
  - Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
  - Is within 100 metres of a rural railway crossing.
  - Has insufficient clearance from vehicles on the carriageway.
  - Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.
- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.

- In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

## 52.05-9 Mandatory conditions

31/07/2018
VC148

### All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

### Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.
- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

## 52.05-10 Signs not requiring a permit

27/10/2025
VC294

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 that provides information, warning or direction about weather conditions, public safety, a natural event or an emergency displayed by or with the agreement of a government department, public authority or municipal council.

- 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 that provides information about a building permit or workplace health and safety. Only one sign may be displayed unless:
  - the land is on a corner allotment, in which case one sign may be erected on each street frontage
  - the land has a street frontage of more than 150 metres, in which case one sign may be erected every 150 metres of each street frontage, with a total of not more than 4 signs.

  The sign must be removed when the work is completed.
- A sign on a hoarding, building shrouding or fence associated with a development that is, or is proposed to be, under construction on the site. The total display area on each street frontage must not exceed 25 percent of the combined area of the hoarding, building shrouding or fence on that street frontage.

  The sign must not be:
  - animated
  - electronic
  - internally illuminated or floodlit
  - displayed for more than two years.

  The sign must be removed when the construction work is complete.
- A flag sign at an Alpine resort (as defined by the *Alpine Resorts Management Act 1997*) that gives direction or information about wayfinding, events, safety and snow sport or mountain bike use, if it is displayed at the direction of Alpine Resorts Victoria. A sign may include a business logo and must only be displayed on a temporary basis.
- 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 a display area not exceeding 10 square metres publicising the sale or letting of the land on which it is displayed. A permit may be granted for:
  - The display area to exceed 10 square metres if the sign concerns more than 20 lots.
  - The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
  - The sign to be displayed longer than 7 days after the sale date.
- A sign publicising or providing information about Victoria's container deposit scheme under the *Circular Economy (Waste and Recycling) Act 2021*. The sign must be attached to an automated collection point, or a building used for a Container deposit scheme centre. The display area for the sign must not exceed 8 square metres. The sign must not be an animated, floodlit or internally illuminated sign.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the *Flags Act 1953*.

## 52.05-11 Category 1 - Commercial areas

03/02/2022
VC199

Minimum limitation

### Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

### Section 1 - Permit not required

| Sign | Condition |
|---|---|
| **Bed and breakfast sign**<br>**Business identification sign**<br>**Home based business sign**<br>**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.<br>No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.<br>The sign must be more than 30 m from a residential zone or pedestrian or traffic lights. |

### Section 2 - Permit required

| Sign | Condition |
|---|---|
| **Any sign not in Section 1** | None specified |

### Section 3 - Prohibited

| Sign |
|---|
| Nil |

## 52.05-12 Category 2 - Office and industrial

27/10/2025
VC294

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**<br>**Business identification sign**<br>**Home based business sign**<br>**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. |
| **Promotion sign** | A promotion sign must promote goods, services, an event or any other matter, that is provided, undertaken or sold or for hire on the land or in the building on which the sign is sited. |

### Section 2 - Permit required

| Sign | Condition |
|---|---|
| **Any sign not in Section 1** | None specified |

### Section 3 - Prohibited

| Sign |
|---|
| Nil |

## 52.05-13 Category 3 - High amenity areas

03/02/2022
VC199

Medium limitation

### Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

### Section 1 - Permit not required

| Sign | Condition |
|---|---|
| **Bed and breakfast sign** | Only one to each premises. |
| **Home based business sign** | The display area must not exceed 0.2 sqm. |
| **Direction sign** | None specified |

### Section 2 - Permit required

| Sign | Condition |
|---|---|
| **Above-verandah sign**<br>**Business identification sign** | None specified |
| **Electronic sign** | The display area must not exceed 3 sqm. |
| **Floodlit sign** | None specified |
| **High-wall sign** | Must be a business logo or street number. |
| **Internally illuminated sign**<br>**Pole sign** | None specified |
| **Promotion sign** | The display area must not exceed 3 sqm. |
| **Reflective sign** | None specified |

### Section 3 - Prohibited

| Sign |
|---|
| **Any sign not in Sections 1 or 2** |

## 52.05-14 Category 4 - Sensitive areas

17/10/2023
VC241

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**<br>**High-wall sign**<br>**Internally illuminated sign**<br>**Pole sign** | Must be on land used for a Freeway service centre or Service station. |
| **Electronic sign** | Must be on land used for a Freeway service centre or Service station.<br>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.<br>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** |

24/06/2021
C83gpla

# SCHEDULE TO CLAUSE 52.05 SIGNS

## 1.0 Exemption from notice and review

24/06/2021
C83gpla

| Land | Condition |
|---|---|
| None specified | |

# 52.06 CAR PARKING

31/07/2018
VC148

## Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

## 52.06-1 Scope

25/02/2025
VC257

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 Provision of car parking spaces

19/04/2013
VC95

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

## 52.06-3 Permit requirement

28/02/2025
VC274

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 Exemption from notice and review

31/07/2018
VC148

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or
- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

## 52.06-5 Number of car parking spaces required under Table 1

24/01/2020
VC160

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.

A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

**Table 1: Car parking requirement**

| Use | Rate<br>Column A | Rate<br>Column B | Car Parking Measure<br>Column C |
|---|---|---|---|
| **Amusement parlour** | 4 | 3.5 | To each 100 sq m of net floor area |
| **Art & craft centre** | 4 | 3.5 | To each 100 sq m of net floor area |
| **Bar** | 0.4 | | To each patron permitted |
| | | 3.5 | Space to each 100 sq m of leasable floor area |
| **Betting agency** | 4 | 3.5 | To each 100 sq m of leasable floor area |
| **Bowling green** | 6 | 6 | To each rink plus 50 per cent of the relevant requirement of any ancillary use |
| **Child care centre** | 0.22 | 0.22 | To each child |
| **Cinema based entertainment facility** | 0.3 | 0.3 | To each patron permitted |
| **Convenience restaurant** | 0.3 | | To each patron permitted |
| | | 3.5 | To each 100 sq m of leasable floor area |

| Use | Rate<br>Column A | Rate<br>Column B | Car Parking Measure<br>Column C |
|---|---|---|---|
| **Convenience shop if the leasable floor area exceeds 80 sq m** | 10 | | To each premises |
| | | 3.5 | To each 100 sq m of leasable floor area |
| **Display home centre** | 5 | | To each dwelling for five or fewer contiguous dwellings, plus |
| | 2 | | To each additional contiguous dwelling |
| | | 3.5 | To each 100 sq m of floor area |
| **Dwelling** | 1 | 1 | To each one or two bedroom dwelling, plus |
| | 2 | 2 | To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus |
| | 1 | 0 | For visitors to every 5 dwellings for developments of 5 or more dwellings |
| **Education centre other than listed in this table** | 0.4 | 0.3 | To each student that is part of the maximum number of students on the site at any time |
| **Food and drink premises other than listed in this table** | 4 | 3.5 | To each 100 sq m of leasable floor area |
| **Freezing and cool storage,** | 1.5 | 1 | To each 100 sq m of net floor area |
| **Fuel depot** | 10 | 10 | Per cent of site area |
| **Funeral Parlour** | 0.3 | 0.3 | To each patron permitted |
| **Gambling premises other than listed in this table** | 0.4 | | To each patron permitted |
| | | 3.5 | To each 100 sq m of leasable floor area |
| **Golf course** | 4 | 4 | To each hole plus 50 per cent of the relevant requirement of any ancillary uses. |
| **Home based business** | 1 | 0 | To each employee not a resident of the dwelling |
| **Hotel** | 0.4 | | To each patron permitted |
| | | 3.5 | To each 100 sq m of leasable floor area |
| **Industry other than listed in this table** | 2.9 | 1 | To each 100 sq m of net floor area |
| **Landscape gardening supplies** | 10 | 10 | Per cent of site area |
| **Mail centre** | 3.5 | 3 | To each 100 sq m of net floor area |
| **Manufacturing sales** | 4 | 3.5 | To each 100 sq m of leasable floor area |
| **Market** | 8 | 3.5 | To each 100 sq m of site area |
| **Materials recycling** | 10 | 10 | Per cent of site area |
| **Medical centre** | 5 | | To the first person providing health services plus |
| | 3 | | To every other person providing health services |
| | | 3.5 | To each 100 sq m of leasable floor area |
| **Milk depot** | 10 | 10 | Per cent of site area |

| Use | Rate<br>Column A | Rate<br>Column B | Car Parking Measure<br>Column C |
|---|---|---|---|
| **Motel** | 1 | 1 | To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use |
| **Motor repairs** | 3 | 3 | To each 100 sq m of net floor area plus |
| | 1 | 1 | for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners |
| **Office other than listed in this table** | 3.5 | 3 | To each 100 sq m of net floor area |
| **Place of assembly other than listed in this table** | 0.3 | 0.3 | To each patron permitted |
| **Postal agency** | 4 | 3.5 | To each 100 sq m of leasable floor area |
| **Primary produce sales** | 4 | 3.5 | To each 100 sq m of leasable floor area |
| **Primary school** | 1 | 1 | To each employee that is part of the maximum number of employees on the site at any time |
| **Research and development centre** | 3.5 | 3 | To each 100 sq m of net floor area |
| **Residential aged care facility** | 0.3 | 0.3 | To each lodging room |
| **Residential village** | 1 | 1 | To each one or two bedroom dwelling plus |
| | 2 | 2 | To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus |
| | 1 | 0 | For visitors to every five dwellings for developments of five or more dwellings |
| **Retirement village** | 1 | 1 | To each one or two bedroom dwelling plus |
| | 2 | 2 | To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus |
| | 1 | 0 | For visitors to every five dwellings for developments of five or more dwellings |
| **Restaurant** | 0.4 | | To each patron permitted |
| | | 3.5 | To each 100 sq m of leasable floor area |
| **Restricted retail premises** | 3 | 2.5 | To each 100 sq m of leasable floor area |
| **Rooming house** | 1 | 1 | To each four bedrooms |
| **Saleyard** | 10 | 10 | Per cent of site area |
| **Secondary school** | 1.2 | 1.2 | To each employee that is part of the maximum number of employees on the site at any time |
| **Shop other than listed in this table** | 4 | 3.5 | To each 100 sq m of leasable floor area |
| **Squash court – other than in conjunction with a dwelling** | 3 | 3 | To each court plus 50 per cent of the relevant requirement of any ancillary use |

| Use | Rate Column A | Rate Column B | Car Parking Measure Column C |
|---|---|---|---|
| **Store other than listed in this table** | 10 | 10 | Per cent of site area |
| **Supermarket** | 5 | 5 | To each 100 sq m of leasable floor area |
| **Swimming pool – other than in conjunction with a dwelling** | 5.6 | 5.6 | To each 100 sq m of the site |
| **Tennis court – other than in conjunction with a dwelling** | 4 | 4 | To each court plus 50% of the requirement of any ancillary use |
| **Trade supplies** | 10 | 10 | Per cent of site area |
| **Veterinary centre** | 5 | | To the first person providing animal health services plus |
| | 3 | | To every other person providing animal health services |
| | | 3.5 | To each 100 sq m of leasable floor area |
| **Warehouse other than listed in this table** | 2 | 2 | To each premises plus |
| | 1.5 | 1 | To each 100 sq m of net floor area |
| **Winery** | 0.4 | | To each patron permitted |
| | | 3.5 | To each 100 sq m of leasable floor area |

## 52.06-6 Number of car parking spaces required for other uses

16/01/2018
VC142

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

## 52.06-7 Application requirements and decision guidelines for permit applications

25/05/2017
VC133

### For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.

- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.

**For applications to allow some or all of the required car parking spaces to be provided on another site**

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

**For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay**

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

## 52.06-8 Requirement for a car parking plan

25/05/2017
VC133

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.

- Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

## 52.06-9 Design standards for car parking

03/02/2022
VC199

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

### Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

### Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

**Table 2: Minimum dimensions of car parking spaces and accessways**

| Angle of car parking spaces to access way | Accessway width | Car space width | Car space length |
|---|---|---|---|
| **Parallel** | 3.6 m | 2.3 m | 6.7 m |

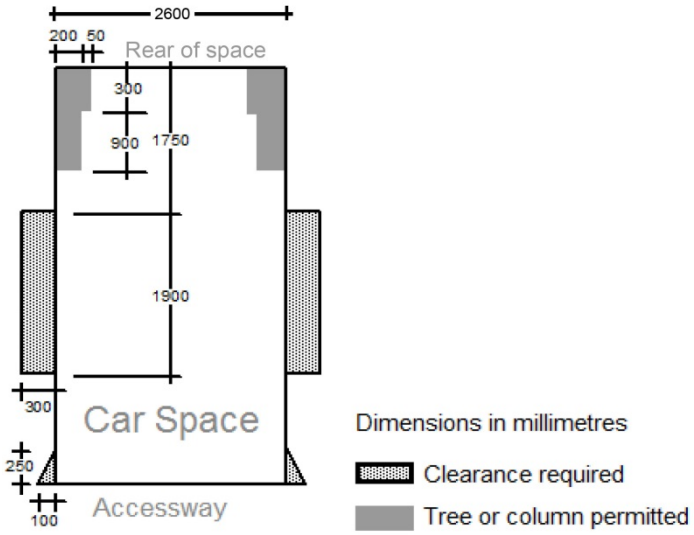
| Angle of car parking spaces to access way | Accessway width | Car space width | Car space length |
|---|---|---|---|
| **45º** | 3.5 m | 2.6 m | 4.9 m |
| **60º** | 4.9 m | 2.6 m | 4.9 m |
| **90º** | 6.4 m | 2.6 m | 4.9 m |
| | 5.8 m | 2.8 m | 4.9 m |
| | 5.2 m | 3.0 m | 4.9 m |
| | 4.8 m | 3.2 m | 4.9 m |

*Note* *Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**




Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.

### Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

**Table 3: Ramp gradients**

| Type of car park | Length of ramp | Maximum grade |
|---|---|---|
| **Public car parks** | 20 metres or less | 1:5 (20%) |
| | longer than 20 metres | 1:6 (16.7%) |
| **Private or residential car parks** | 20 metres or less | 1:4 (25%) |
| | longer than 20 metres | 1:5 (20%) |

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

### Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

### Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

### Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

### Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

## 52.06-10 Decision guidelines

25/05/2017
VC133

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

## 52.06-11 Construction of car parking

25/05/2017
VC133

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and

- line-marked or provided with some other adequate means of showing the car parking spaces,

before any of the following occurs:

- the new use commences; or
- the floor area or site area of the existing use is increased; or
- the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

# 52.07 EMERGENCY RECOVERY

22/11/2022
VC228

## Purpose

To facilitate and support recovery from emergencies.

To facilitate the construction and use of temporary accommodation following an emergency.

To enable businesses and services to continue operating following an emergency.

To support the provision of materials and infrastructure required for emergency recovery.

## 52.07-1 Exemption from planning scheme requirements

04/11/2022
VC226

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following uses or developments if the requirements of clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
  - Associated with recovery carried out by or on behalf of a municipal council or public authority; or
  - For accommodation; or
  - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by an emergency.
- The removal, destruction or lopping of vegetation.

This exemption does not apply to:

- The requirement in clause 45.03-1.
- The use or development of land to which clause 52.14 applies.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

## 52.07-2 Information to responsible authority

04/11/2022
VC226

The following requirement does not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Before the commencement of a use or the construction of a building under clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
  - Stating the address of the land; or
  - Stating the title particulars of the land; or
  - Including a plan showing the land; or
  - Any combination of these.

## 52.07-3 Temporary accommodation requirements

04/11/2022
VC226

The following requirements do not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The accommodation must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the accommodation must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system or treated and disposed of to the satisfaction of the responsible authority.
- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.
- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

## 52.07-4 Continuation of use requirements

04/11/2022
VC226

The following requirements do not apply to the use or development of land:

- For accommodation; or
- Associated with recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by an emergency must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by an emergency, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by an emergency.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

## 52.07-5 Vegetation removal requirement

04/11/2022
VC226

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:

- To enable the removal of a building, equipment or other material that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed; or
- To enable the repair or reconstruction of a fence that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

## 52.07-6 Other development requirements

04/11/2022
VC226

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be carried out to the satisfaction of the responsible authority.

Development of land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.

## 52.07-7 Exemptions for extractive industry

06/10/2023
VC247

Any requirement of a planning permit, including any condition, or any provision of this planning scheme, that limits, or has the effect of limiting, the hours or days during which an extractive industry may be carried out, does not apply to the quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials if:

- The materials are directly associated with recovery; and
- The quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials occurs within 24 months of an emergency.

## 52.07-8 Meaning of terms

22/11/2022
VC228

In this clause:

- ***emergency*** means:
  - a bushfire; or
  - an earthquake, flood, wind-storm or other natural event;
- ***recovery*** means the assisting of persons and communities affected by emergencies to achieve a proper and effective level of functioning.

# 52.08 EARTH AND ENERGY RESOURCES INDUSTRY

24/01/2020
VC160

## Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

## 52.08-1 Permit requirement

24/01/2020
VC160

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

### Table of exemptions

| No permit is required to use or develop land for earth and energy resources industry if the following conditions are met: | |
|---|---|
| Extractive industry | Complies with Section 77T of the *Mineral Resources (Sustainable Development) Act 1990*. |
| Geothermal energy exploration | Complies with the *Geothermal Energy Resources Act 2005*. |
| Geothermal energy extraction | Complies with Section 62 of the *Geothermal Energy Resources Act 2005*. |
| Greenhouse gas sequestration exploration | Complies with Section 189 of the *Greenhouse Gas Geological Sequestration Act 2008*. |
| Greenhouse gas sequestration | Complies with Section 191 of the *Geological Sequestration Act 2008*. |
| Mineral exploration | Complies with Section 43(3) of the *Mineral Resources (Sustainable Development) Act 1990*. |
| Mining | Complies with Section 42(7) or Section 42A *Mineral Resources (Sustainable Development) Act 1990*; or<br>Complies with Section 47A of the *Electricity Industry Act 1993*. |
| Petroleum exploration | Complies with Section 118 of the *Petroleum Act 1998*. |
| Petroleum production | Complies with Section 120 of the *Petroleum Act 1998*. |
| Stone exploration | Must not be costeaning or bulk sampling. |

## 52.08-2 Application requirements for mineral extraction

24/01/2020
VC160

An application to use and develop land for mining must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990*.
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990*.
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990*.

## 52.08-3 Referral requirements for mining

14/05/2021
VC198

An application to use or develop land for mining must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

# 52.09 EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS

24/01/2020
VC160

## Purpose

To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

## 52.09-1 Application

24/01/2020
VC160

This clause applies to an application to use or develop land:

- For extractive industry;
- Within an Extractive Industry Interest Area; or
- Within 500 metres of an existing or proposed extractive industry operation.

## 52.09-2 Application requirements

24/01/2020
VC160

An application to use and develop land for extractive industry must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990.*
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990.*
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990.*

These requirements do not apply if the proposed extractive industry is exempt from:

- The requirement to obtain a work plan under section 77G of the *Mineral Resources (Sustainable Development) Act 1990;* or
- The provisions of the *Mineral Resources (Sustainable Development) Act 1990* under section 5AA of that Act.

## 52.09-3 Referral of applications

22/03/2022
VC219

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66, if the application is to use or develop land for:

- Extractive industry; or
- Accommodation in a rural zone is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

## 52.09-4 Decision guidelines

24/01/2020
VC160

Before deciding on an application to use and develop land for extractive industry, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposed extractive industry on any native flora and fauna on and near the land.
- The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.
- The impact of the proposed extractive industry on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the *Mineral Resources (Sustainable Development) Act 1990*.

## 52.09-5 Permit conditions for extractive industry

24/01/2020
VC160

A permit to use and develop land for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit to use and develop land for extractive industry must include:

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.
- Conditions that are consistent with the requirements specified in Clause 52.09-6.

## 52.09-6 Requirements for extractive industry

24/01/2020
VC160

The use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.
- Shrubs and trees must be planted and maintained to screen activity on the land.
- Parking areas must be provided for employees' cars and all vehicles used on the land.

## 52.09-7 Notice of an application

22/03/2022
VC219

Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the person or body specified as the person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital:

  - Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.
- An application to use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

This requirement does not apply to:

- An application to extend a building or works.
- An application that is required to be referred to the Secretary under section 55 of the Act.

## 52.10 RECONSTRUCTION AFTER AN EMERGENCY

05/10/2021
VC208

### Purpose

To facilitate the reconstruction of buildings and works damaged or destroyed as a result of an emergency.

To facilitate the re-establishment of businesses and services after an emergency.

To facilitate the continued use of land for dwellings after an emergency.

### 52.10-1 Use exemptions - dwelling

18/12/2024
VC272

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.

### 52.10-2 Exemption from notice and review

18/12/2024
VC272

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 Meaning of terms

05/10/2021
VC208

In this clause, ***emergency*** means:

- a bushfire; or
- an earthquake, flood, wind-storm or other natural event.

## 52.10-4 Transitional provision

05/10/2021
VC208

Clause 52.10-2 of this planning scheme, as in force immediately before the approval date of Amendment VC208, continues to apply to an application lodged before that date for land on which a building was damaged or destroyed by a bushfire after 1 January 2019.

## 52.11 HOME BASED BUSINESS

31/07/2018
VC148

### Purpose

To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

## 52.11-1 Requirements to be met

15/03/2024
VC256

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.

## 52.11-2 Permit requirement

15/03/2024
VC256

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.

## 52.12 BUSHFIRE PROTECTION EXEMPTIONS

05/08/2020
VC176

### Purpose

To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.

To facilitate the construction and protection of community fire refuges and private bushfire shelters.

### 52.12-1 Exemptions to create defendable space around buildings used for accommodation

05/08/2020
VC176

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to any of the following:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued before 10 September 2009; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued before 10 September 2009; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in the Bushfire Management Overlay.
  - The building must have been:
    - constructed before 10 September 2009; or
    - lawfully constructed without a planning permit before 18 November 2011; or
    - approved by a planning permit or a building permit issued before 10 September 2009 and constructed before 18 November 2011; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

### 52.12-2 Exemption for vegetation removal along a fenceline

05/08/2020
VC176

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership if all of the following requirements are met:

- The fence must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
- The fence must have been constructed before 10 September 2009.
- The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.

### 52.12-3 Exemption for buildings and works associated with a community fire refuge

05/08/2020
VC176

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 October 2015) of the *Project Development and Construction Management Act 1994*.

### 52.12-4 Exemption for buildings and works associated with a private bushfire shelter

05/08/2020
VC176

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

### 52.12-5 Exemption to create defendable space for a dwelling under Clause 44.06 of this planning scheme

25/02/2025
VC257

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

- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.

*Note: The effect of clause 52.12-5 is that if an application for building and works is made and all requirements of the clause are met, that application is not required to be accompanied by a permit application to remove the vegetation covered by this clause.*

# 52.13 VICTORIA'S CONTAINER DEPOSIT SCHEME

14/11/2022
VC227

## 52.13-1 Purpose

26/09/2023
VC246

To facilitate an automated collection point and a container deposit scheme centre to support waste reduction and recycling under Victoria's container deposit scheme.

To ensure an automated collection point and a container deposit scheme centre are designed and sited to minimise impacts on the land and surrounding land uses.

## 52.13-2 Application

26/09/2023
VC246

This clause applies to the use or development of an automated collection point and a container deposit scheme centre.

## 52.13-3 Automated collection point requirements

26/09/2023
VC246

An automated collection point should not:

- Be attached to another building.
- Be more than 3 metres in height. This includes an attached sign.
- Restrict a vehicular or pedestrian accessway to or from the land or an entry or exit to a building.

## 52.13-4 Container deposit scheme centre requirements

26/09/2023
VC246

A container deposit scheme centre should collect, consolidate, store, sort or recover materials in a fully enclosed and roofed building.

In an industrial zone, Commercial 2 Zone or Port Zone, a container deposit scheme centre should be at least 30 metres from land (not a road):

- In a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Used for, or in a Public Acquisition Overlay to be acquired for, a hospital, an education centre or a corrective institution.

In any other zone, a container deposit scheme centre should:

- Be at least 60 metres from land (not a road):
  - Used for accommodation, child care centre, pre-school centre, primary school, secondary school, education centre, informal outdoor recreation, hospital or a corrective institution.
  - To be acquired for a hospital, an education centre or a corrective institution.
- Not operate machinery to collect, consolidate, store, sort or recover materials between 5pm and 8am the following day.
- Not have more than 4 vehicle movements by the operator collecting or delivering materials to the container deposit scheme centre between 5pm and 8am the following day.

## 52.13-5 Permit exemption for an automated collection point

26/09/2023
VC246

Any requirement in a zone or overlay, or a schedule to a zone or overlay, to obtain a permit to construct a building or construct or carry out works does not apply to an automated collection point if the requirements of clause 52.13-3 and clause 52.13-6 are met.

This exemption does not apply to a requirement in any of the following overlays if an application for one or more automated collection points has a combined gross floor area of 2 square metres or more, and a building height of 2.5 metres or more:

Other than for a maximum of two automated collection points that are no greater than 2 square metres in total area and less than 2.5 metres in height, this exemption does not apply to a requirement in a:

- Bushfire Management Overlay if the automated collection point is located less than 10 meters from a building used for accommodation, education centre, hospital, leisure and recreation, or place of assembly.
- Environmental Significance Overlay.
- Floodway Overlay.
- Heritage Overlay.
- Land Subject to Inundation Overlay.
- Public Acquisition Overlay.
- Significant Landscape Overlay.
- Special Building Overlay.

## 52.13-6 Permit exemption requirement for an automated collection point

26/09/2023
VC246

For the purposes of clause 52.13-5, an automated collection point with a gross floor area less than 2 square metres, and a building height less than 2.5 metres must:

- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Be set back at least 30 metres from a dwelling in a Township Zone.
- Not be located on vacant land in a residential or rural zone.
- Not be located in an area set aside for vehicle access or occupy a car parking space.
- Be of muted, non-reflective external colours and finishes.

For the purposes of clause 52.13-5, an automated collection point with a gross floor area of 2 square metres or more, and a building height of 2.5 metres or more must:

- Occupy no more than:
  - 4 existing car parking spaces on the land; or,
  - 5 existing car parking spaces on the land if the land contains 50 or more car parking spaces.
- Be set back at least 4 metres from the frontage.
- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- Not be located on vacant land in a residential or rural zone.
- Be of muted, non-reflective external colours and finishes.

## 52.13-7 Exemption from car parking requirements for an automated collection point

26/09/2023
VC246

An automated collection point is exempt from the requirements of clause 52.06.

## 52.13-8 Exemption from permit conditions for an automated collection point

26/09/2023
VC246

Any requirement of a permit, or any permit condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the use or development of land for an automated collection point if the requirements of clause 52.13-3 are met.

## 52.13-9 Application requirements

26/09/2023
VC246

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

- A site context plan that specifies the location and nature of land use within 100 metres of site boundaries.
- A site and layout plan that includes:
  - Design for safe pedestrian and vehicle movements.
  - Any additional lighting to be included and any proposed baffling.
  - Any existing automated collection points on the site.
- An operational plan that includes:
  - Operating days and hours.
  - Noise, emissions and amenity attenuation measures. This may include a report on how noise and amenity impacts from the use will be reduced.
  - Safety and access details including how the use will be serviced, emptied and how materials will be moved to and from the site.
  - Details and methods of managing the collection, consolidation, storage sorting and recovery of materials within a building to reduce noise and amenity impacts on surrounding land.
  - Details of traffic and car parking requirements generated by the use.

## 52.13-10 Decision guidelines

26/09/2023
VC246

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

- The effect on existing car parking provision if an automated collection point is located on existing car parking spaces.
- The setback of the development from a frontage and from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- The effect of siting an automated collection point on vacant land in a residential or rural zone.
- The effect of external colours and finishes.
- The size, density and number of automated collection points including the cumulative impact of automated collection points on the land.
- Whether a proposed operational plan reduces noise and other impacts on nearby land uses.
- Safe pedestrian and vehicle movements on the land.
- The effect of noise, emissions, traffic movements and other amenity impacts on adjoining land uses.
- In a zone other than an industrial zone, Commercial 2 Zone or Port Zone the effect of noise, emissions, traffic movements and other amenity impacts of a container deposit scheme centre on adjacent and nearby sensitive land uses.

## 52.13-11 Exemption from notice and review

26/09/2023
VC246

An application to use or develop land for an automated collection point including the construction of or putting up for display a sign in conjunction with an automated collection point is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

An application to use or develop a container deposit scheme centre, including the construction of or putting up for display a sign in conjunction with a container deposit scheme centre is exempt from:

- In an industrial zone, Commercial 2 Zone and Port Zone, the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
- In any other zone, the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 52.13-12 Transitional provisions

26/09/2023
VC246

The requirements of this clause introduced by Amendment VC246 do not apply to:

- An application for an automated collection point or container deposit scheme centre lodged before the approval date of Amendment VC246.
- An application for an amendment of a permit for an automated collection point or container deposit scheme centre under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC246.

## 52.14 2009 BUSHFIRE - REPLACEMENT BUILDINGS

31/07/2018
VC148

### Purpose

To support the rebuilding of dwellings, dependent persons' units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

## 52.14-1 Scope

14/12/2020
VC188

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person's unit; or
  - a building used for agriculture,

  that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
  - a dwelling or dependent person's unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

## 52.14-2 Exemption from planning scheme requirements

20/01/2022
VC205

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

### Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person's unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person's unit or building used for agriculture.
- The existing and proposed access to the lot.

- Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.
- For replacement dwellings and dependent persons' units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - The location and dimensions of vehicle access.
  - The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person's unit cannot be connected to a reticulated potable water supply.
  - The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

**Commencement of development**

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

**Compliance with site plan**

- The development must comply with the approved site plan.

**Use and development conditions**

- The land must not be used for more than the number of dwellings or dependent persons' units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person's unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person's unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.
- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.

- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Transport Zone 2 or Land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, access must not be created or altered.

## 52.14-3 Land in an Erosion Management Overlay

31/07/2018
VC148

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

## 52.14-4 Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

31/07/2018
VC148

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant flood plain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

## 52.14-5 Decision guidelines

31/07/2018
VC148

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person's unit can be located on the land to assist the minimisation of risk to life and property from bushfire.

# 52.15 HELIPORT AND HELICOPTER LANDING SITE

29/10/2015
VC101

## Purpose

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

## 52.15-1 Permit requirement

20/03/2023
VC229

A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

### Table of exemptions for use

| No permit is required to use land for a helicopter landing site if any of the following apply: | |
|---|---|
| **Emergency services** | The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations. |
| **Agriculture** | The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture. |
| **Public land management** | The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following:<br>▪ Department of Energy, Environment and Climate Action;<br>▪ The Department of Transport and Planning;<br>▪ Parks Victoria; or<br>▪ The Great Ocean Road Coast and Parks Authority,<br>whether on private land or not. |
| **General** | The helicopter landing site where either:<br>▪ 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:<br>– 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).<br>– Flight movements do not take place before 7am or after sunset on a weekday.<br>– Flight movements do not take place before 8am or after sunset on a weekend or holiday; or<br>▪ The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne. |

## 52.15-2 Application requirements

18/12/2012
VC93

An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.

- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.
- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
  - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
  - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

## 52.15-3 Decision guidelines

18/12/2012
VC93

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.

# 52.16 NATIVE VEGETATION PRECINCT PLAN

30/10/2025
VC291

## 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 Energy, Environment and Climate Action, 2025) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

## 52.16-1 Application

12/12/2017
VC138

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

## 52.16-2 Native vegetation precinct plans

14/07/2022
VC213

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

## 52.16-3 Permit requirement

12/12/2017
VC138

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

## 52.16-4 Application requirements

14/07/2022
VC213

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

## 52.16-5 Decision guidelines

14/07/2022
VC213

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

## 52.16-6 Offset requirements

14/07/2022
VC213

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

## 52.16-7 Transitional provisions

20/03/2023
VC229

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

## 52.16-8 Table of exemptions

16/08/2024
VC262

| 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:<br>▪ which provides an overall improvement for biodiversity; and<br>▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Crown land** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:<br>▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the *Procedure for the removal, destruction or lopping of native vegetation on Crown land*; or<br>▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Emergency works** | Native vegetation that is to be removed, destroyed or lopped:<br>▪ in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or<br>▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Extractive industry** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |
| **Fire protection** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities: |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | ▪ fire fighting;<br>▪ planned burning;<br>▪ 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;<br>▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under *Part 2 of the Conservation, Forests and Lands Act 1987*);<br>▪ in accordance with a fire prevention notice issued under either:<br>– section 87 of the *Fire Rescue Victoria Act 1958*;<br>– section 65 of the *Forests Act 1958*; or<br>– section 41 of the *Country Fire Authority Act 1958*.<br>▪ 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*;<br>▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.<br>*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.* |
| **Geothermal energy exploration and extraction** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| **Greenhouse gas sequestration and exploration** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Land management or directions notice** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| **Land use conditions** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| **Mineral exploration and mining** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*:<br>▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or<br>▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.<br>*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.* |
| **Pest animal burrows** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*. |
| **Planted vegetation** | Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |

| 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 *Conservation, Forests and Lands Act 1987*). |
| **Regrowth** | Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:<br>▪ bracken (*Pteridium esculentum*); or<br>▪ 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.<br>This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration** | ▪ Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.<br>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:<br>▪ 1 hectare of native vegetation which does not include a tree.<br>▪ 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.<br>▪ 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>This exemption does not apply to costeaning and bulk sampling activities. |
| **Surveying** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:<br>▪ a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or<br>▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017). |
| **Utility installations** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:<br>▪ to maintain the safe and efficient function of a Minor utility installation; or<br>▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |

## 52.16-9 Melbourne Strategic Assessment Levy Area

14/07/2022
VC213

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.16-4, 52.16-5, 52.16-6 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.

15/09/2008
VC49

# SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

## 1.0 Native vegetation precinct plan

15/09/2008
VC49

| Name of plan |
| --- |
| None specified |

# 52.17 NATIVE VEGETATION

30/10/2025
VC291

## 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 Energy, Environment and Climate Action, 2025) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

## 52.17-1 Permit requirement

12/12/2017
VC138

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

## 52.17-2 Application requirements

14/07/2022
VC213

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

## 52.17-3 Property vegetation plans

12/12/2017
VC138

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

"This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit."

## 52.17-4 Decision guidelines

12/12/2017
VC138

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

## 52.17-5 Offset requirements

14/07/2022
VC213

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.

## 52.17-6 Transitional provisions

20/03/2023
VC229

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

## 52.17-7 Table of exemptions

16/08/2024
VC262

| 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:<br>▪ which provides an overall improvement for biodiversity; and<br>▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Crown land** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:<br>▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the *Procedure for the removal, destruction or lopping of native vegetation on Crown land*; or<br>▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Dead native vegetation** | Native vegetation that is dead.<br>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:<br>▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or<br>▪ 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.<br>This exemption does not apply to:<br>▪ the operation or maintenance of a fence; or<br>▪ 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.<br>This exemption does not apply to:<br>▪ the use or maintenance of a Dwelling; or<br>▪ the operation or maintenance of a fence; or<br>▪ native vegetation located more than 10 metres measured from the outermost point of the building or works. |
| **Extractive industry** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |
| **Fences** | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:<br>▪ the operation or maintenance of an existing fence; or<br>▪ the construction of a boundary fence between properties in different ownership.<br>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:<br>▪ fire fighting;<br>▪ planned burning;<br>▪ making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;<br>▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*);<br>▪ in accordance with a fire prevention notice issued under either:<br>– section 87 of the *Fire Rescue Victoria Act 1958*;<br>– section 65 of the *Forests Act 1958*; or<br>– section 41 of the *Country Fire Authority Act 1958*. |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | ▪ keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;<br>▪ 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*.<br>*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.* |
| **Geothermal energy exploration and extraction** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| **Grasses** | Native grass that is to be mowed or slashed for maintenance only, provided that the grass is:<br>▪ located within a lawn, garden or other landscaped area; or<br>▪ 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:<br>▪ freehold land; or<br>▪ Crown land in accordance with a license, permit or lease granted under applicable legislation. |
| **Greenhouse gas sequestration and exploration** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Harvesting for timber production – naturally established native vegetation** | Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022) and are:<br>▪ undertaken on public land under a licence or permit issued under section 52 of the *Forests Act 1958*; or<br>▪ authorised in accordance with Part 5 of the *Sustainable Forests (Timber) Act 2004*. |
| **Land management or directions notice** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| **Land use conditions** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| **Lopping and pruning for maintenance** | Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned.<br>This exemption does not apply to:<br>▪ the pruning or lopping of the trunk of a native tree; or<br>▪ 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*:<br>▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or<br>▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.<br>*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.<br>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:<br>▪ 1 hectare of native vegetation which does not include a tree.<br>▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.<br>▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>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.<br>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:<br>▪ 300 square metres of native vegetation which does not include a tree.<br>▪ 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.<br>▪ 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>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.<br><br>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.<br><br>This exemption does not apply to:<br>▪ contiguous land in one ownership that has an area of less than 10 hectares;<br>▪ the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or<br>▪ 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:<br>▪ in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or<br>▪ 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:<br>– 1 hectare of native vegetation which does not include a tree; or<br>– 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.<br><br>This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding. |
| **Railways** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Regrowth** | Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:<br>▪ less than 10 years old; or<br>▪ bracken (*Pteridium esculentum*); or |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or<br>▪ 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:<br>– shown on that plan as being 'certified regrowth'; and<br>– on land that is to be used or maintained for cultivation or pasture during the term of that plan.<br>This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Site area** | Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares.<br>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.<br>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.<br>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:<br>▪ 1 hectare of native vegetation which does not include a tree.<br>▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.<br>▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.<br>This exemption does not apply to costeaning and bulk sampling activities. |
| **Surveying** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | ▪ a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or<br>▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act* in 2016 (1 May 2017). |
| **Tram stops** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter. |
| **Transport land** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Utility installations** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:<br>▪ to maintain the safe and efficient function a Minor utility installation; or<br>▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Vehicle access from public roads** | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.<br>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.<br>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.<br>In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*.<br>*Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.* |
| **Weeds** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.<br>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:<br>▪ 1 hectare of native vegetation which does not include a tree.<br>▪ 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level. |

## 52.17-8 Melbourne Strategic Assessment Levy Area

14/07/2022
VC213

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.17-2, 52.17-4, 52.17-5 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.

15/09/2008
VC49

# SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

## 1.0 Scheduled area

24/06/2021
C83gpla

| Area | Description of native vegetation for which no permit is required to remove, destroy or lop |
|---|---|
| None specified | |

## 2.0 Scheduled weed

24/06/2021
C83gpla

| Area | Description of weed |
|---|---|
| None specified | |

## 52.18 CORONAVIRUS (COVID-19) PANDEMIC AND RECOVERY EXEMPTIONS

28/10/2022
VC224

### Purpose

To support Victoria's social and economic recovery from the coronavirus (COVID-19) pandemic through exemptions that enable outdoor dining and facilitate the reopening and safe operation of hospitality and other businesses.

### 52.18-1 Operation

17/10/2025
VC296

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 until 30 June 2027;
- ***hospitality*** means:
  - the preparation or sale of food or drink for immediate consumption on, or off, the land; or
  - the consumption of food or drink;
- ***public land*** means Crown land and land that is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.

### 52.18-2 Public land exemptions

28/10/2022
VC224

Any requirement in this planning scheme relating to the use of land does not apply to the use of public land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works on public land does not apply to a temporary building or moveable building associated with the use of land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

### 52.18-3 Food and drink business extension exemptions

28/10/2022
VC224

Any requirement in this planning scheme relating to the use of land does not apply to the use of land for hospitality during the exemption period if the use is associated with the existing use of adjoining land for a food and drink premises, function centre, nightclub or winery, and the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to a temporary building or moveable building associated with the use of the land for hospitality during the exemption period if the requirements of clause 52.18-6 are met.

## 52.18-4 Car parking exemption

28/10/2022
VC224

Any requirement of this planning scheme relating to the provision of car parking does not apply to a use commenced under an exemption in this clause, or the existing use of land for a food and drink premises, function centre, nightclub or winery, during the exemption period.

## 52.18-5 Permit condition exemptions

28/10/2022
VC224

The following exemptions apply to permits issued before the approval date of Amendment VC193 and which allow:

- the use or development of land for a food and drink premises, function centre, nightclub or winery; or
- the use or development of land for the sale or consumption of liquor associated with the use of the land for a food and drink premises, function centre, nightclub or winery.

Any requirement of a permit, including any condition, relating to the layout or location of the preparation, sale or consumption of food or drink on the land does not apply during the exemption period if the requirements of clause 52.18-6 are met. This exemption does not apply to a condition relating to the maximum number of patrons, hours of operation (including any condition that applies to a particular outdoor area), location or playing of music, or noise levels.

Any requirement of a permit, including any condition, relating to the layout or location of development on the land does not apply to the construction or placing of a temporary building or moveable building, or the construction or carrying out of works, under an exemption in this clause if the requirements of clause 52.18-6 are met.

Any requirement of a permit, including any condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the alteration of an existing use of land under an exemption in this clause during the exemption period if the requirements of clause 52.18-6 are met.

## 52.18-6 Use and development requirements

15/03/2024
VC256

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 TELECOMMUNICATIONS FACILITY

04/11/2022
VC226

### Purpose

To ensure that telecommunications infrastructure is provided in an efficient and cost-effective manner to meet community needs.

To facilitate an effective state-wide telecommunications network consistent with proper and orderly planning.

To support the provision of telecommunications facilities with minimal impact on the amenity of the area.

### 52.19-1 Permit requirement

04/11/2022
VC226

A permit is required to construct a building or construct or carry out works for a telecommunications facility. This does not apply to the construction of a building or the construction or carrying out of works for any of the following:

- A low-impact facility specified in the *Telecommunications (Low-impact Facilities) Determination 2018* (Cth).
- The inspection and maintenance of a facility as defined in the *Telecommunications Act 1997* (Cth).
- A facility authorised by a facility installation permit issued under the *Telecommunications Act 1997* (Cth).
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the *Telecommunications Act 1997* (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the *Telecommunications Act 1997* (Cth) pursuant to legislation applying to that body.
- A temporary defence facility.
- A telecommunications facility equipment shelter.
- A telecommunications line forming part of a telecommunications network connected to a building, caravan or mobile home.
- An optical fibre ground wire that replaces an electricity ground wire on a high-voltage transmission tower that supports powerlines designed to operate at 222,000 volts or greater.
- A telecommunications facility located underground if any ground disturbed in constructing or installing the facility is reinstated.
- A telecommunications dish with a diameter of 1.2 metres or less.
- A telecommunications dish with a diameter of more than 1.2 metres and less than or equal to 2.4 metres if the following requirements are met:
  - If the dish is in a Heritage Overlay, it must not be visible from a street (other than a lane) or public park.
  - If the dish is in a residential zone, it must:
    - Be set back from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.
    - Be set back at least 3 metres from a boundary opposite an existing habitable room window.
    - Not be visible from the street (other than a lane) or a public park.

- A telecommunications tower that replaces an existing light pole on public land if the following requirements are met:
  - The public land manager must be a municipal council.
  - The tower must not be more than 8 metres higher than the light pole.
- A telecommunications tower that replaces an existing telecommunications tower on the same land if the following requirements are met:
  - The tower must not be in a residential zone, or a Significant Landscape Overlay, Heritage Overlay or Neighbourhood Character Overlay.
  - The tower must not be more than 8 metres higher than the existing tower.
  - The tower must not be a lattice tower.
  - The tower must be located within 20 metres of the existing tower.
  - The existing tower must be removed within 60 days of the new tower commencing operation.
- The extension of an existing telecommunications tower if the following requirements are met:
  - The tower must not be in a residential zone.
  - The height of the extension must not exceed 8 metres.
  - The tower must not have been previously extended without a permit.
  - The tower must have been constructed for 12 months before the extension.
- A telecommunications facility on a building if the following requirements are met:
  - If the building is in a residential zone, the height of the facility must not be more than 1 metre higher than the building height of the building.
  - If the building is in a zone other than a residential zone, the height of the facility must not be more than 8 metres higher than the building height of the building.
- A telecommunications facility that provides service coverage during routine or emergency maintenance of an existing facility, construction or installation of a new facility, or additional service coverage for an event, if the following requirements are met:
  - The height of the facility must not exceed 25 metres above its base or the height of the existing facility, whichever is the greater.
  - The facility must not be located on the land for more than a total of 4 months in any 12 month period.

## 52.19-2 Land in public ownership

04/11/2022
VC226

An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

## 52.19-3 Exemptions from notice and review

04/11/2022
VC226

An application under any provision of this planning scheme to construct a building or construct or carry out works for a telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to:

- An application under a Significant Landscape Overlay, a Heritage Overlay, or Neighbourhood Character Overlay.
- An application under a public land zone if the responsible authority is not the public land manager.
- An application for any of the following:
  - A telecommunications dish.
  - A telecommunications facility on a building within 100 metres of a residential zone.
  - A telecommunications facility on a building within 100 metres of a dwelling not on the same land or land in contiguous ownership.
  - A telecommunications tower in a residential zone.
  - A telecommunications tower within 100 metres of a residential zone.
  - A telecommunications tower within 100 metres of a dwelling not on the same land or land in contiguous ownership.

An application under any provision of this planning scheme to use or develop land for a telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the telecommunications facility is funded, or partly funded, by the Commonwealth through the Mobile Black Spot Program or the State of Victoria.

## 52.19-4 Application requirements

04/11/2022
VC226

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

- A site analysis and design response explaining the design, siting, construction and operation of the telecommunications facility.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

## 52.19-5 Decision guidelines

04/11/2022
VC226

Before deciding on an application, in addition to the decision guidelines of clause 65, the responsible authority must consider, as appropriate:

- The design, siting, construction and operation of the telecommunications facility.
- The effect of the telecommunications facility on adjacent land.

# 52.20 GOVERNMENT FUNDED HOUSING DEVELOPMENT

19/12/2024
VC273

## 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 Application

19/12/2024
VC273

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 Exemption from planning scheme requirements

20/12/2021
VC207

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development Clause 52.20 applies to if requirements of this clause are met.

This exemption does not apply to a requirement in Clauses 45.03 (Environmental Audit Overlay), 45.07 (City Link Project Overlay), 45.08 (Melbourne Airport Environs Overlay), 51.03 (Upper Yarra Valley & Dandenong Ranges Regional Strategy Plan) or 52.02 (Easements, Restrictions and Reserves), or in any schedule to those clauses.

## 52.20-3 Use and development requirements

19/12/2024
VC273

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 Consultation requirements

14/07/2022
VC230

Before plans, documents and information required under Clause 52.20-5 are submitted:

- Public consultation, and consultation with the relevant municipal council, on the plans, documents and information proposed to be submitted under Clause 52.20-5; and
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to, must be completed.

The requirements of Clause 52.20-4 must be undertaken to the satisfaction of the Minister for Planning and may be varied or waived by the Minister for Planning.

## 52.20-5 Requirements for plans and documents

31/03/2025
VC267

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 Development standards for dwellings and buildings

01/01/2024
VC250

### 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.<br>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.<br>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser. |

### 52.20-6.3 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

### 52.20-6.4 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

### 52.20-6.5 Access

The width of accessways or car spaces that front existing streets should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

### 52.20-6.6 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

### 52.20-6.7 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.

Car parking for other land uses must be to the satisfaction of the Minister for Planning.

Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

#### Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public carparks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.

- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

### Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

**Table 2: Minimum dimensions of car parking spaces and accessways**

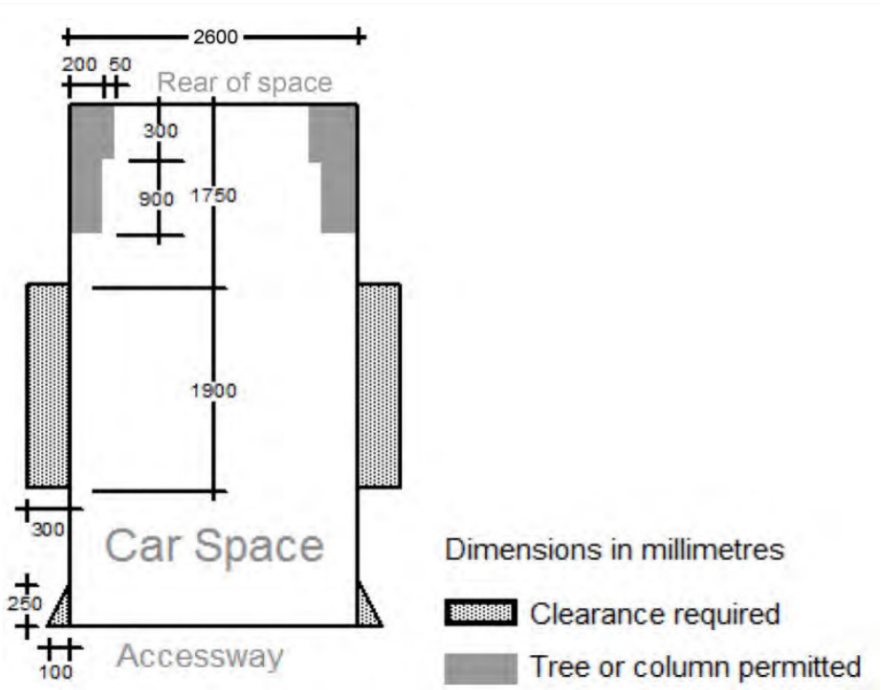
| Angle of car parking spaces to access way | Accessway width | Car space width | Car space length |
|---|---|---|---|
| **Parallel** | 3.6 m | 2.3 m | 6.7 m |
| **45º** | 3.5 m | 2.6 m | 4.9 m |
| **60º** | 4.9 m | 2.6 m | 4.9 m |
| **90º** | 6.4 m | 2.6 m | 4.9 m |
| | 5.8 m | 2.8 m | 4.9 m |
| | 5.2 m | 3.0 m | 4.9 m |
| | 4.8 m | 3.2 m | 4.9 m |

*Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**




Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

### Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

**Table 3: Ramp gradients**

| Type of car park | Length of ramp | Maximum grade |
|---|---|---|
| **Public car parks** | 20 metres or less | 1:5 (20%) |
| | longer than 20 metres | 1:6 (16.7%) |
| **Private or residential car parks** | 20 metres or less | 1:4 (25%) |
| | longer than 20 metres | 1:5 (20%) |

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the Minister for Planning.

**Mechanical parking**

Mechanical parking may be used to meet the carparking standard provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the Minister for Planning.

**Urban design**

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

**Safety**

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

**Landscaping**

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

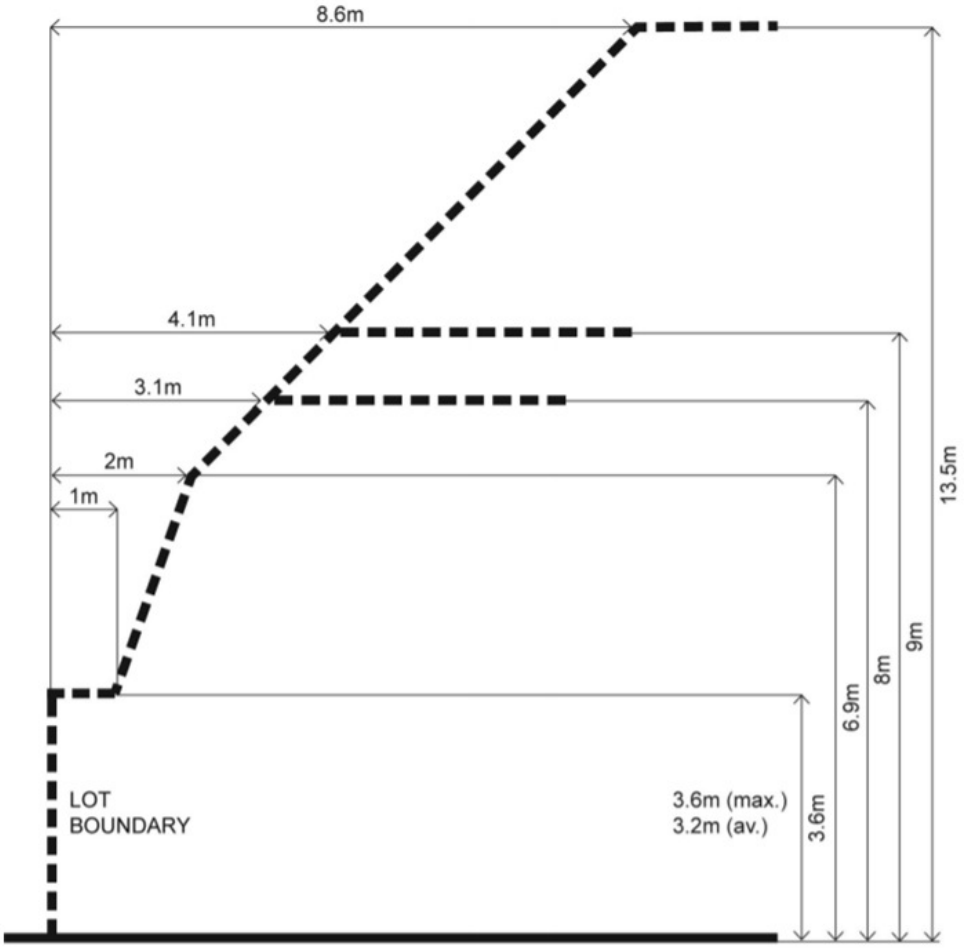
### 52.20-6.8 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Diagram 2 details the standard.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

**Diagram 2 Side and rear setbacks**




## 52.20-6.9 Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

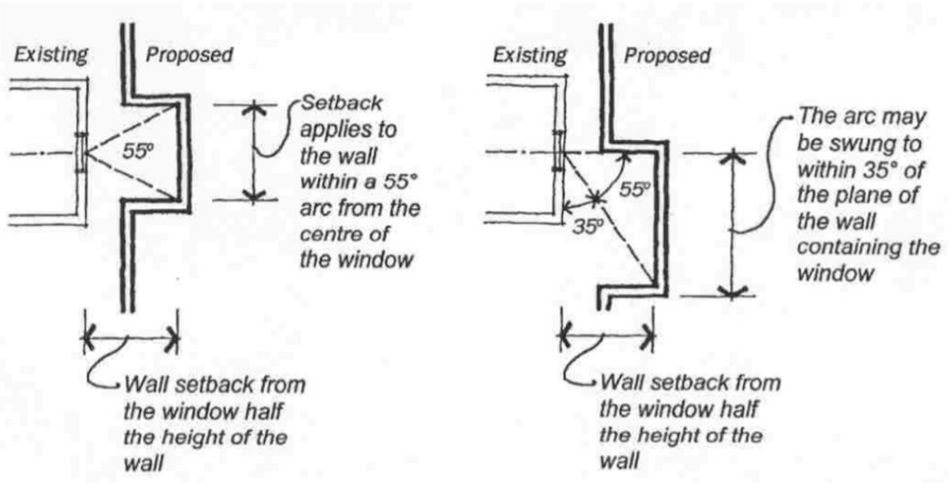
### 52.20-6.10 Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

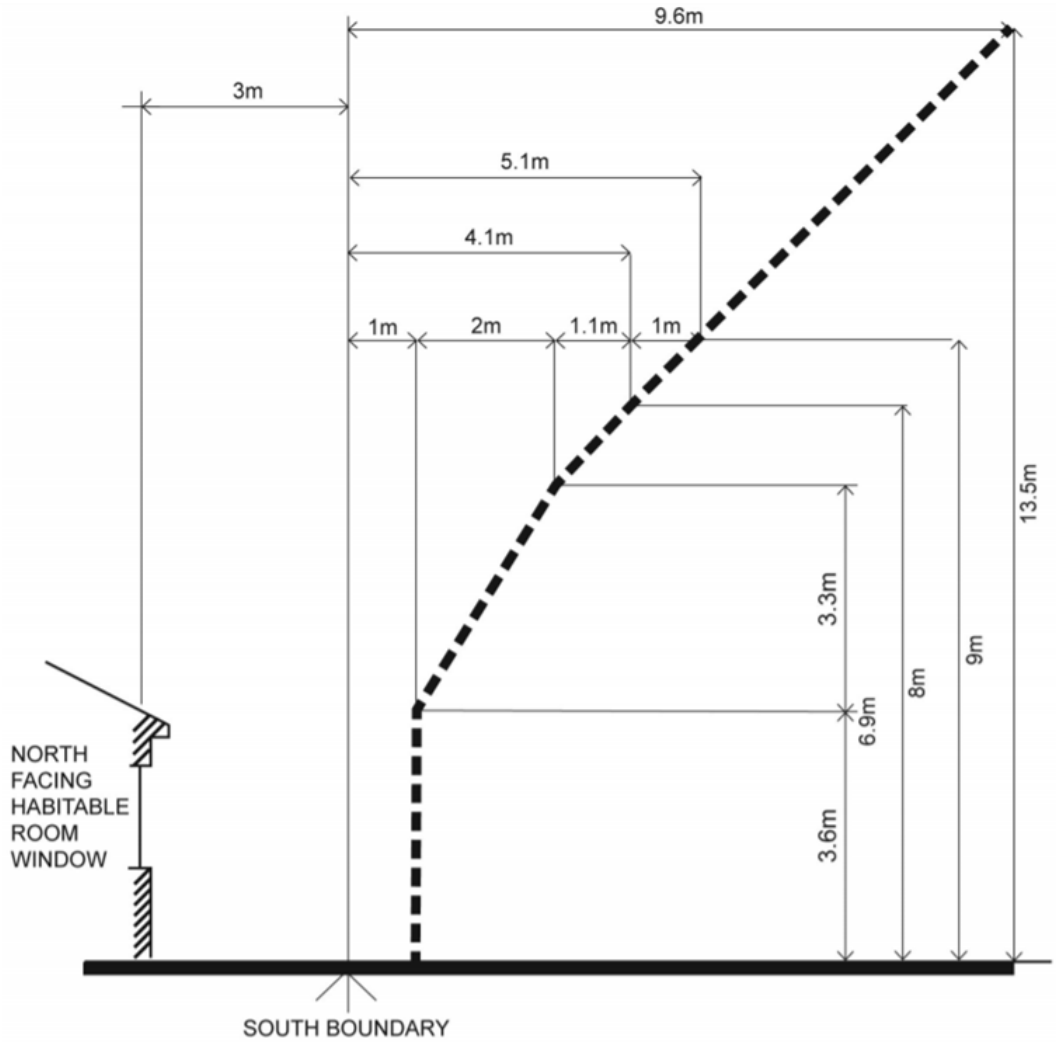
**Diagram 3 Daylight to existing windows**




### 52.20-6.11 North-facing windows

If a north-facing habitable room window of an existing dwelling 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.

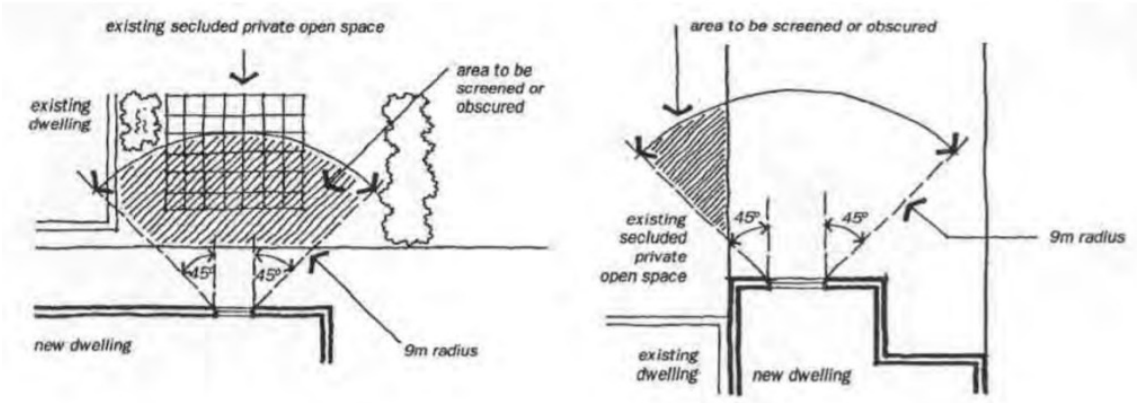
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

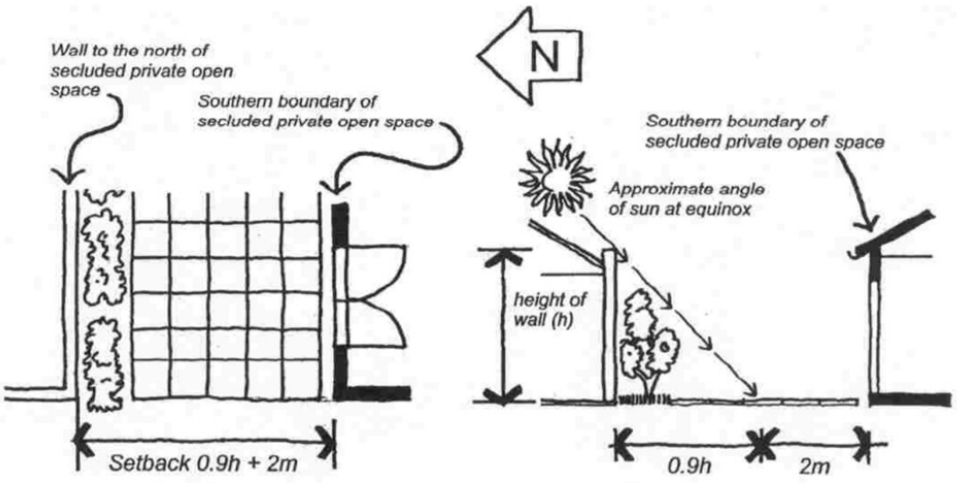
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

### 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 in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

## 52.20-7 Development standards for apartments

15/03/2024
VC256

### 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<br>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<br>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<br>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<br>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<br>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<br>Area of deep soil | Tree in planter<br>Volume of planter | Depth of planter soil |
|---|---|---|---|
| A | 12 square metres<br>(min. plan dimension 2.5 metres) | 12 cubic metres<br>(min. plan dimension 2.5 metres) | 0.8 metre |
| B | 49 square metres<br>(min. plan dimension 4.5 metres) | 28 cubic metres<br>(min. plan dimension 4.5 metres) | 1 metre |
| C | 121 square metres<br>(min. plan dimension 6.5 metres) | 64 cubic metres<br>(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:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. | Either:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards and has readily removable hinges. |

| | Design option A | Design option B |
|---|---|---|
| Circulation area | A clear circulation area that is:<br>▪ A minimum area of 1.2 metres by 1.2 metres.<br>▪ Located in front of the shower and the toilet.<br>▪ Clear of the toilet, basin and the door swing.<br>The circulation area for the toilet and shower can overlap. | A clear circulation area that is:<br>▪ A minimum width of 1 metre.<br>▪ The full length of the bathroom and a minimum length of 2.7 metres.<br>▪ Clear of the toilet and basin.<br>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:<br>▪ 3 metres per second for sitting areas.<br>▪ 4 metres per second for standing areas.<br>▪ 5 metres per second for walking areas. |

## 52.20-8 Native vegetation requirements

20/03/2023
VC229

In this clause:

- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*.

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with the application requirements 1, 5 and 9 in Table 4 of the Guidelines must be provided to the satisfaction of the Secretary.
- The biodiversity impacts from the native vegetation must be offset in accordance with the *Guidelines*.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The requirements of Clause 52.20-8 do not apply to any native vegetation identified in the table of exemptions to Clause 52.17-7.

The Secretary may vary the timing of the offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for a project may be reconciled at the completion of a project in accordance with the *Assessor's handbook – Applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, October 2018) to the satisfaction of Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1 and 5 in Table 4 of the Guidelines must be provided to the satisfaction of the Secretary.

The requirements of this clause may be satisfied for separate components or stages of a development. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

## 52.20-9 Transitional provision

20/03/2023
VC229

The development standards at Clause 52.20-7 for apartment developments and residential buildings in force immediately before the approval date of Amendment VC207 continue to apply to a use or development that has received written confirmation from the Chief Executive Officer, Homes Victoria that an application is funded, either wholly or partly, under Victoria's Big Housing Build program, signed before 30 June 2022.

# 52.21 PRIVATE TENNIS COURT

31/07/2018
VC148

## Purpose

To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.

To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

## 52.21-1 Application

31/07/2018
VC148

This clause applies to any private tennis court which is used in association with a dwelling.

## 52.21-2 Permit requirement

19/01/2006
VC37

A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

## 52.21-3 Application requirements

19/01/2006
VC37

Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.

## 52.21-4 Notice provisions

31/07/2018
VC148

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

## 52.21-5 Decision guidelines

19/01/2006
VC37

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.

## 52.22 COMMUNITY CARE ACCOMMODATION

26/10/2018
VC152

### Purpose

To facilitate the establishment of community care accommodation.

To support the confidentiality of community care accommodation.

### 52.22-1 Application

26/10/2018
VC152

This clause applies to the use and development of land for community care accommodation.

### 52.22-2 Use exemption

28/02/2025
VC274

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.

### 52.22-3 Buildings and works exemption

31/03/2025
VC267

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 Exemption from notice and review

04/11/2022
VC226

An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the application is made by or on behalf of:

- A government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
- A registered NDIS provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.

## 52.22-5 Meaning of terms

04/11/2022
VC226

In this clause:

- National Disability Insurance Scheme has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.
- Registered NDIS provider has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.

# 52.23 ROOMING HOUSE

26/10/2018
VC152

## Purpose

To facilitate the establishment of domestic-scale rooming houses.

## 52.23-1 Application

26/10/2018
VC152

This clause applies to use and development of land for a rooming house.

## 52.23-2 Use exemption

28/02/2025
VC274

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 Buildings and works exemption

25/02/2025
VC257

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.

## 52.25 CREMATORIUM

19/01/2006
VC37

### Purpose

To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

### Permit required

A permit is required to develop and use a crematorium on land that is used for cemetery purposes.

This does not apply to land in the Springvale Crematorium.

### Decision guidelines

Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.

## 52.26 [NO CONTENT]

31/07/2018
VC148

## 52.27 [NO CONTENT]

01/07/2025
VC286

19/01/2006
VC37

# SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

## 1.0 Permit not required

24/06/2021
C83gpla

| Land | Type of licence |
|---|---|
| None specified | |

## 2.0 Permit may not be granted

24/06/2021
C83gpla

| Land | Type of licence |
|---|---|
| None specified | |

# 52.28 GAMING

31/07/2018
VC148

## 52.28-1 Purpose

18/10/2006
VC39

To ensure that gaming machines are situated in appropriate locations and premises.

To ensure the social and economic impacts of the location of gaming machines are considered.

To prohibit gaming machines in specified shopping complexes and strip shopping centres.

## 52.28-2 Gaming objectives

31/07/2018
VC148

A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

## 52.28-3 Permit requirement

31/07/2018
VC148

A permit is required to install or use a gaming machine.

This does not apply in either of the following circumstances:

- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

## 52.28-4 Prohibition of a gaming machine in a shopping complex

31/07/2018
VC148

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

## 52.28-5 Prohibition of a gaming machine in a strip shopping centre

31/07/2018
VC148

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

## 52.28-6 Locations for gaming machines

31/07/2018
VC148

A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.

## 52.28-7 Venues for gaming machines

31/07/2018
VC148

A schedule to this clause may specify guidelines relating to venues for gaming machines.

## 52.28-8 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

## 52.28-9 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.

24/06/2021
C83gpla

# SCHEDULE TO CLAUSE 52.28 GAMING

## 1.0 Objectives

24/06/2021
C83gpla

None specified.

## 2.0 Prohibition of a gaming machine in a shopping complex

24/06/2021
C83gpla

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 |
|---|---|
| None specified | None specified |

## 3.0 Prohibition of a gaming machine in a strip shopping centre

24/06/2021
C83gpla

A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

## 4.0 Locations for gaming machines

24/06/2021
C83gpla

None specified.

## 5.0 Venues for gaming machines

24/06/2021
C83gpla

None specified.

## 6.0 Application requirements

24/06/2021
C83gpla

None specified.

## 7.0 Decision guidelines

24/06/2021
C83gpla

None specified.

## 52.29 LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK

20/01/2022
VC205

### Purpose

To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

### 52.29-1 Application

20/01/2022
VC205

This clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.

### 52.29-2 Permit requirement

20/01/2022
VC205

A permit is required to:

- Create or alter access to:
  - A road in a Transport Zone 2.
  - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.
- Subdivide land adjacent to:
  - A road in a Transport Zone 2.
  - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.

### 52.29-3 Permit not required

14/05/2021
VC198

A permit is not required to:

- Create or alter access, or subdivide land, if carried out by or on behalf of the Head, Transport for Victoria.
- Realign a boundary.
- Subdivide an existing building, provided the building is already connected to services and no new access is required.
- Subdivide land into two lots, provided no new access is required.

### 52.29-4 Referral of applications

20/01/2022
VC205

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in clause 66.03.

### 52.29-5 Exemption from notice and review

31/07/2018
VC148

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### 52.29-6 Decision guidelines

20/01/2022
VC205

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
- Any policy made by the relevant road authority pursuant to schedule 2, clause 3 of the *Road Management Act 2004* regarding access between a controlled access road and adjacent land.

# 52.30 STATE PROJECTS

12/02/2024
VC254

## 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.

## 52.30-1 Application

20/03/2023
VC229

This clause applies to any project decided by the Minister for Planning under clause 52.30-2 to be a state project.

In this clause:

- ***Chief Executive Officer, Homes Victoria*** means 'Chief Executive Officer, Homes Victoria' as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*;
- ***green wedge land*** has the same meaning as in Division 1 of Part 3AA of the Act;
- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020;*
- ***project*** means:
  - use or development of land; or
  - creation or alteration of access to a road in a Transport Zone; or
  - creation, variation or removal of an easement or restriction; or
  - variation or removal of a condition in the nature of an easement in a Crown grant;
- ***restriction*** has the same meaning as in the *Subdivision Act 1988;*
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

## 52.30-2 State project decision

12/02/2024
VC254

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 Exemption from planning scheme requirements

12/02/2024
VC254

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 Project requirement

29/09/2022
VC222

The project must be carried out generally in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

## 52.30-5 Consultation requirements

29/09/2022
VC222

Before the project commences:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed project will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and the feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

## 52.30-6 Other pre-commencement requirements

12/02/2024
VC254

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 Native vegetation requirements

25/03/2021
VC194

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with application requirements in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The Secretary may vary the timing of the offset requirement.

The secured offset for a state project to which this clause applies may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with application requirements in Tables 4 and 5 (other than requirement 9) of the Guidelines must be prepared to the satisfaction of the Secretary.

The information requirements of this clause may be varied or waived by the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

# 52.31 LOCAL GOVERNMENT PROJECTS

25/03/2021
VC194

## Purpose

To facilitate the development of land by or on behalf of municipal councils.

## 52.31-1 Permit exemptions

25/03/2021
VC194

Any requirement in a zone or a schedule to a zone to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council. This exemption does not apply to:

- A development with an estimated cost of more than $10 million.
- A development in the Urban Floodway Zone unless the development is carried out to the satisfaction of the relevant floodplain management authority.
- A development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A development for which the Minister for Planning has decided that an assessment through an environment effects statement under the *Environment Effects Act 1978* is not required if the Minister's decision is subject to conditions.

Any requirement in the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council to the satisfaction of the relevant floodplain management authority.

This clause prevails over any inconsistent provision in this planning scheme.

## 52.31-2 Exemption from notice and review

25/03/2021
VC194

An application under any provision of this planning scheme to develop land by or on behalf of a municipal council is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to:

- An application for a development with an estimated cost of more than $10 million.
- An application for a development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- An application to remove, destroy or lop more than:
  - 0.5 hectares of native vegetation other than a tree; or
  - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level; or
  - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

# 52.32 WIND ENERGY FACILITY

31/07/2018
VC148

## Purpose

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

## 52.32-1 Application

03/08/2021
VC206

This clause applies to land used and developed or proposed to be used and developed for a wind energy facility.

## 52.32-2 Use and development of land

03/08/2021
VC206

A permit is required to use and develop land for a wind energy facility.

The use and development of land for a wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

**Table to Clause 52.32-2**

| Location | Condition |
|---|---|
| **On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.** | Must meet the requirements of clause 52.32-3. |
| **Land described in a schedule to the *National Parks Act 1975*** | Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. |
| **Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)** | |
| **Land listed in a schedule to Clause 52.32-2** | Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land. |

## 52.32-3 Turbine within one kilometre of a dwelling

03/08/2021
VC206

An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:

- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

## 52.32-4 Application requirements

04/07/2023
VC234

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

### Site and context analysis

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.
- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*

- Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

**Design response**

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.
- A pre-construction (predictive) noise assessment report prepared by a suitably qualified and experienced acoustician that:
  - Reports on a pre-construction (predictive) noise assessment conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.
  - Provides an assessment of whether the proposed wind energy facility will comply with the noise limit for that facility under Division 5 Part 5.3 of the *Environment Protection Regulations 2021*.

  - Where the proposed wind energy facility will be the subject of a wind turbine noise agreement under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021,* specifies the premises of the relevant landowner (including any particular buildings) to which the agreement relates and provides an assessment of whether the proposed wind energy facility will comply with the modified noise limit for that facility specified in the agreement.
  - Is prepared on the basis that the relevant noise standard under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021* will be *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise* and includes an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the standard.

- A report prepared by an environmental auditor appointed under Part 8.3 of the *Environment Protection Act 2017* that verifies whether or not the pre-construction (predictive) noise assessment was conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

## 52.32-5 Decision guidelines

04/07/2023
VC234

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.
- The impact of the development on significant views, including visual corridors and sightlines.
- The impact of the facility on the natural environment and natural systems.
- The impact of the facility on cultural heritage.
- The impact of the facility on aircraft safety.
- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021).

## 52.32-6 Anemometer

03/08/2021
VC206

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

## 52.32-7 Application to amend a permit under section 72 of the Act

03/08/2021
VC206

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or
- increase the maximum height of a turbine.

## 52.32-8 Application to amend a permit under section 97I of the Act

03/08/2021
VC206

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of a turbine.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of a turbine by more than 20%.

31/07/2018
VC148

# SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

## 1.0 Wind energy facility prohibition

31/07/2018
VC148

| Land where a Wind energy facility is prohibited |
| --- |
| None specified |

## 52.33 POST BOXES AND DRY STONE WALLS

31/07/2018
VC148

### Purpose

To conserve historic post boxes and dry stone walls.

### Permit requirement

A permit is required to demolish or remove a post box constructed before 1930.

A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.

31/07/2018
VC148

# SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

## 1.0 Permit requirement for dry stone walls

31/07/2018
VC148

| Land |
| --- |
| All |

# 52.34 BICYCLE FACILITIES

31/07/2018
VC148

## Purpose

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

## 52.34-1 Provision of bicycle facilities

19/01/2006
VC37

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

## 52.34-2 Permit requirement

31/07/2018
VC148

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

## 52.34-3 Exemption from notice and review

31/07/2018
VC148

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 52.34-4 Decision guidelines

14/01/2025
VC237

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.

## 52.34-5 Required bicycle facilities

28/02/2025
VC274

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 Design of bicycle spaces

31/07/2018
VC148

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

### Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

### Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:

- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

## 52.34-7 Bicycle signage

31/07/2018
VC148

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.

# 52.35 MAJOR ROAD PROJECTS

14/05/2021
VC198

## 52.35-1 Purpose

14/05/2021
VC198

To facilitate the delivery of projects carried out by or on behalf of Major Road Projects Victoria.

## 52.35-2 Application

14/05/2021
VC198

This clause applies to the use and development of land for a project carried out by or on behalf of Major Road Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.35.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.35-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.35 prevail over any inconsistent provision in this planning scheme.

## 52.35-3 Exemption from planning scheme requirements

14/05/2021
VC198

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.35 applies if the requirements of clause 52.35 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

## 52.35-4 Use and development requirements

14/05/2021
VC198

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.35, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

## 52.35-5 Consultation requirements

14/05/2021
VC198

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

## 52.35-6 Project boundary requirement

14/05/2021
VC198

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

## 52.35-7 Other pre-commencement requirements

14/05/2021
VC198

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.35.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3:
  - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of the proposed development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.
- A statement outlining landscape and urban design measures or treatments required to address any amenity impacts as part of the project.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

## 52.35-8 Native vegetation requirements

14/05/2021
VC198

In this clause:

- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development, information about that native vegetation in accordance with application requirements 1, 5, 9, 10 and 11 in Tables 4 and 5 to the Guidelines must be prepared to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation outside the levy area (other than to enable a preparatory use or development):

- Information about the native vegetation in accordance with the application requirements 1, 5, 9, 10, and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

## 52.35-9 Preparatory use and development

14/05/2021
VC198

For the purposes of clause 52.35, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.35-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated ‘no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
  - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.35, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

# 52.36 RAIL PROJECTS

14/05/2021
VC198

## 52.36-1 Purpose

14/05/2021
VC198

To facilitate the delivery of projects carried out by or on behalf of Rail Projects Victoria.

## 52.36-2 Application

14/05/2021
VC198

This clause applies to the use and development of land for a project carried out by or on behalf of Rail Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.36.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.36-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.36 prevail over any inconsistent provision in this planning scheme.

## 52.36-3 Exemption from planning scheme requirements

14/05/2021
VC198

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.36 applies if the requirements of clause 52.36 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

## 52.36-4 Use and development requirements

20/01/2022
VC205

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.36, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, must be carried out to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

## 52.36-5 Consultation requirements

14/05/2021
VC198

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

## 52.36-6 Project boundary requirement

14/05/2021
VC198

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

## 52.36-7 Other pre-commencement requirements

14/05/2021
VC198

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.36.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3:
  - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of the proposed development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

## 52.36-8 Native vegetation requirements

14/05/2021
VC198

In this clause:

- ***Guidelines*** means the *Guidelines for removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, December 2017);
- ***levy area*** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- ***Secretary*** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development, information about that native vegetation in accordance with application requirements 1, 5, 9, 10 and 11 in Tables 4 and 5 to the Guidelines must be prepared to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation outside the levy area (other than to enable a preparatory use or development):

- Information about the native vegetation in accordance with application requirements 1, 5, 9 10, and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

## 52.36-9 Preparatory use and development

14/05/2021
VC198

For the purposes of clause 52.36, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.36-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated ‘no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
  - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.36, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

# 52.37 CANOPY TREES

15/09/2025
VC289

## PURPOSE

To protect and enhance canopy tree cover to support greener and cooler residential areas.

To maximise the retention of existing canopy tree cover where no development is proposed.

To ensure that development is designed to maximise the retention and long-term health of existing and new canopy trees and contributes to increasing canopy tree cover.

To balance the retention of existing canopy trees and residential development to meet the housing needs of Victoria's growing population.

To encourage canopy tree cover that is site and climate responsive and supports the local environment.

## 52.37-1 Meaning of terms

15/09/2025
VC289

In clause 52.37:

- ***canopy tree*** means a tree that has:
  - a height of more than 5 metres above ground level; and
  - a trunk circumference of more than 0.5 metres, measured at 1.4 metres above ground level; and
  - a canopy diameter of at least 4 metres;
- ***boundary canopy tree*** means a canopy tree if any part of its trunk is within:
  - 6 metres of the narrowest street frontage of a lot; or
  - 4.5 metres of the rear boundary of a lot;
- ***new canopy tree*** means a canopy tree proposed to be planted. It must be a species and type that will, at maturity, have:
  - an expected height of at least 6 metres above ground level; and
  - an expected canopy diameter of at least 4 metres.

## 52.37-2 Permit requirement

15/09/2025
VC289

A permit is required to remove, destroy or lop a canopy tree in the Mixed Use Zone, Township Zone, Residential Growth Zone, General Residential Zone, Neighbourhood Residential Zone, and Housing Choice and Transport Zone.

This does not apply:

- If the table of exemptions in clause 52.37-8 specifically states that a permit is not required.
- To the removal, destruction or lopping of a canopy tree (other than a boundary canopy tree) identified for assessment in an application to which clause 54, 55, 57 or 58 applies and the tree is not removed, destroyed or lopped until the permit is issued.
- To the removal, destruction or lopping of a canopy tree (other than a boundary canopy tree) if the site is developed with an existing dwelling.

### VICSMART APPLICATION

Subject to clause 71.06, an application under this clause is a class of VicSmart application and must be assessed against this clause (excluding clause 52.37-4 and 52.37-5).

## 52.37-3 Canopy tree requirement

15/09/2025
VC289

The number of canopy trees on the site should meet the minimum canopy tree requirements specified in Table 1.

If the site has an area of more than 1000 square metres and the existing total canopy cover within the site is more than 20 per cent of the site area, the canopy trees on the site should achieve a total canopy cover within the site that is equal to at least 20 per cent of the site area plus 50 per cent of the area of existing canopy cover that exceeds 20 per cent.

**Example:**

If the site area is 2000 square metres and the existing total canopy cover within the site is 30 per cent of the site area, the required total canopy cover is 25 per cent (20% + [(0.5 x (30% -20%)] = 25%).

The minimum canopy tree requirement may be met with either an existing canopy tree, by planting a new canopy tree, or a combination of both.

A new canopy tree should be planted in:

- a minimum deep soil area of at least 12 square metres with a minimum dimension of at least 2.5 metres; or
- in a planter with a minimum volume of 12 cubic metres with a minimum depth of at least 0.8 metres of planter soil; or
- if the proposed canopy tree has an expected canopy diameter of more than 8 metres at maturity, deep soil area or a planter area that is to the satisfaction of the responsible authority.

**Table 1 - Minimum canopy tree requirement**

| Site area | Canopy tree requirement |
|---|---|
| 100 square metres or less | 1 tree |
| 101 sqm to 200 sqm | 2 trees |
| 201 sqm to 500 sqm | 3 trees |
| 501 sqm to 700 sqm | 4 trees |
| 701 sqm to 1000 sqm | 6 trees |
| Above 1001 sqm | A total canopy cover within the site that is equal to at least 20 per cent of the site area. |

## 52.37-4 Decision exemptions

15/09/2025
VC289

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 decision guidelines in Clause 65.

An application to which this clause applies is exempt from the requirements of:

- Section 60(1)(b), (c), (e) and (f) and (1A) of the Act.
- Section 84B(2)(b) to (ja) of the Act.

## 52.37-5 Exemption from notice and review

15/09/2025
VC289

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.

## 52.37-6 Application requirements

15/09/2025
VC289

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

- A site plan, photographs or other techniques that accurately describe:
  - The location of all canopy trees and other vegetation on the site.
  - The canopy trees proposed to be removed, destroyed or lopped, including species, height and canopy diameter.
  - The location and details of existing and new canopy trees, including species, type, expected height and expected canopy diameter at maturity, soil conditions and proposed irrigation.
- An explanation of why the canopy tree is proposed to be removed, destroyed or lopped and, if applicable, an explanation of why the proposal does not meet the canopy tree requirement.
- Details of the proposed buildings or works, including plans of the development, if the canopy tree is proposed to be removed, destroyed or lopped to enable construction of a building or the construction or carrying out of works.
- An assessment of the canopy tree prepared by a suitably qualified person, if the canopy tree is proposed to be removed or lopped due to its health or stability.

If in the opinion of the responsible authority an application is not relevant to deciding the application, the responsible authority may waive or reduce the requirement.

## 52.37-7 Decision guidelines

15/09/2025
VC289

Before deciding on an application the responsible authority must consider, as appropriate:

### GENERAL

- The purpose of the clause 52.37.
- The extent to which the existing and new canopy trees contribute to a greener environment and reduce urban heat.
- The existing, proposed or likely future development of the site and adjacent land.
- The species, type and growth characteristics of existing and new canopy trees.
- Whether existing or new canopy tree will adversely impact or be impacted by pedestrian and vehicle access to the site, easements, overhead power cables, buried infrastructure such as sewer pipes, building foundations and other structures.
- Any physical constraints, such as topography, soil and drainage conditions which may prevent the planting or growth of the required number of trees.
- The impact of existing or new canopy trees on solar access to windows on the site and any existing solar energy system.
- If the site is in a designated bushfire prone area as determined under section 192A of the *Building Act 1993*, the need to create a defendable space to reduce the risk of bushfire to life and property.

### REMOVAL OF CANOPY TREES

- The health and stability of the canopy tree proposed to be removed.
- Whether the canopy tree is causing, or at risk of causing, damage to an existing building, works or infrastructure.
- The number, size and location of the canopy trees to be retained on the site.

- If the removal of the canopy tree is associated with the development of the site, whether the proposed development has been sited or designed to minimise the impact on canopy trees.
- The cumulative impact of reducing existing canopy trees, if canopy trees on the site have been removed, destroyed or lopped within the past 12 months.

**NEW CANOPY TREES**

- The suitability of the proposed deep soil areas or planter soil volume or depth. A deep soil area may be shared with other canopy trees and other vegetation where it does not affect the viability of the canopy tree growth.
- Whether the species of the canopy tree is suited to the soil conditions of the site.
- Whether landscaping or design measures are required to provide structural protection of buildings.

## 52.37-8 Table of exemptions

15/09/2025
VC289

| The requirement to obtain a permit does not apply to: | |
|---|---|
| **Dead canopy tree** | A canopy tree that is dead. |
| **Emergency works** | A canopy tree that is to be removed, destroyed or lopped:<br>▪ 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<br>▪ where it presents an immediate risk of personal injury or damage to property.<br>Only that part of the canopy tree that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Extractive industry** | A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Fire protection** | A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to carry out the following fire protection activities:<br>▪ fire fighting;<br>▪ planned burning;<br>▪ making or maintenance of a fuel break or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;<br>▪ the making of a strategic fuel break up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuel break plan |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | approved by the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);<br>▪ in accordance with a fire prevention notice issued under either:<br>– section 87 of the Fire Rescue Victoria Act 1958;<br>– section 65 of the Forests Act 1958; or<br>– section 41 of the Country Fire Authority Act 1958; or<br>▪ keeping a canopy tree 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 Electricity Safety Act 1998;<br>▪ 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 Energy, Environment and Climate Action (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.<br>**Note:**<br>Additional permit exemptions for bushfire protection are provided at Clause 52.12. |
| **Geothermal energy exploration and extraction** | A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| **Greenhouse gas sequestration and exploration** | A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Land management and directions notice** | A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| **Land use conditions** | A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| **Lopping and pruning for maintenance** | Lopping or pruning a canopy tree, for maintenance only, provided no more than 1/3 of the foliage of the tree is lopped or pruned.<br>This exemption does not apply to:<br>▪ the pruning or lopping of the trunk of a canopy tree;<br>▪ pruning or lopping that would reduce the height of the tree to less than 5 metres or the canopy diameter of the tree to less than 4 metres. |
| **Mineral exploration and extraction** | A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:<br>▪ that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or<br>▪ in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.<br>**Note:**<br>Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of a native tree that may be removed as part of low impact exploration. |
| **Noxious and environmental weeds** | A canopy tree that is identified as a noxious weed in:<br>▪ a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (Cuscuta australis); or<br>▪ a planning scheme. |
| **Public land manager** | A canopy tree that is to be removed, destroyed or lopped by or on behalf of a public land manager. |
| **Railways** | A canopy tree 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 |

| The requirement to obtain a permit does not apply to: | |
|---|---|
| | Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Road safety** | A canopy tree 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 with the written agreement of the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Traditional owners** | A canopy tree that is to be removed, destroyed or lopped by a person acting under, and in accordance with:<br>▪ a natural resources agreement under Part 6 of the Traditional Owner Settlement Act 2010; or<br>▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owners Settlement Amendment Act in 2016 (1 May 2017)*. |
| **Tram stops** | A canopy tree 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** | A canopy tree 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, in accordance with the written agreement of the Secretary to the Department of Energy, Environment and Climate Action (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |

**52.37-9**
**15/09/2025**
**VC289**

## Transitional provisions

The requirements of clause 52.37 do not apply to:

- The removal, destruction or lopping of a canopy tree associated with the construction of a building or the construction or carrying out of works in accordance with a building permit that was issued either:
  - before the approval date of Amendment VC289; or
  - within 12 months after the approval date of Amendment VC289 and either:

  - a relevant building surveyor (within the meaning of the *Building Act 1993*) was appointed to issue the building permit before the approval date of Amendment VC289; or
  - a relevant building surveyor (within the meaning of the *Building Act 1993*) is satisfied, and certifies in writing, that substantial progress was made on the design proposal before the approval date of Amendment VC289.

- The removal, destruction or lopping of a canopy tree associated with the construction of a building or the construction or carrying out works in accordance with a permit granted before the approval date of Amendment VC289.
- The removal, destruction or lopping of a canopy tree associated with the construction of a building or the construction or carrying out works in accordance with a permit if the application for that permit was made before the approval date of Amendment VC289.
- The removal, destruction or lopping of a canopy tree in accordance with a permit granted under another provision of this planning scheme before the approval date of Amendment VC289.
- The removal, destruction or lopping of a canopy tree on land in a Development Plan Overlay if a development plan was prepared to the satisfaction of the responsible authority under clause 43.04 before the approval date of Amendment VC289 and a permit is not required to remove, destroy or lop the tree under another provision of this planning scheme.
- The removal, destruction or lopping of a canopy tree on land included in an Incorporated Plan Overlay before the approval date of Amendment VC289 and a permit is not required to remove, destroy or lop the tree under another provision of this planning scheme.

# 53 GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS

31/07/2018
VC148

## 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

25/02/2025
VC257

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 Exemption from public open space requirement specified in the scheme

31/07/2018
VC148

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.
- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

### 53.01-2 Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

31/07/2018
VC148

For the purposes of section 18(8)(a) of the *Subdivision Act 1988*, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

*Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.*

31/07/2018
VC148

# SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

## 1.0

24/06/2021
C83gpla

## Subdivision and public open space contribution

| Type or location of subdivision | Amount of contribution for public open space |
|---|---|
| None specified | |

# 53.02 BUSHFIRE PLANNING

31/07/2018
VC148

## Purpose

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

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

## 53.02-1 Application

25/02/2025
VC257

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 Operation

31/07/2018
VC148

The provisions of this clause contain:

- **Objectives.** An objective describes the outcome that must be achieved in a completed development.
- **Approved measures (AM).** An approved measure meets the objective.
- **Alternative measures (AltM).** An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- **Decision guidelines**. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

## 53.02-3 Dwellings in existing settlements – Bushfire protection objective

31/07/2018
VC148

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.

### Approved measures

| Measure | Requirement |
|---|---|
| **AM 1.1** | A building is sited to ensure the site best achieves the following:<br>▪ The maximum separation distance between the building and the bushfire hazard.<br>▪ The building is in close proximity to a public road.<br>▪ 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.<br>A building is constructed to the bushfire attack level:<br>▪ That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or<br>▪ 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:<br>– 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.<br>– A minimum bushfire attack level of BAL12.5 is provided in all circumstances. |
| **AM 1.3** | A building is provided with:<br>▪ 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.<br>▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. |

### 53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the the approved measures have been incorporated into the application.

## 53.02-4 Bushfire protection objectives

14/12/2023
VC253

### 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:<br>▪ The maximum separation distance between the building and the bushfire hazard.<br>▪ The building is in close proximity to a public road.<br>▪ 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:<br>▪ Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or<br>▪ If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.<br>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:<br>▪ 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.<br>▪ Constructed to a bushfire attack level of BAL12.5. |

### Alternative measures

| Measure | Requirement |
|---|---|
| **AltM 3.3** | Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space. |
| **AltM 3.4** | Defendable space and the bushfire attack level is determined using Method 2 of *AS3959:2018 Construction of buildings in bushfire prone areas* (Standards Australia) subject to any guidance published by the relevant fire authority. |

| Measure | Requirement |
|---|---|
| **AltM 3.5** | A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:<br>▪ The lot has access to urban, township or other areas where:<br>– Protection can be provided from the impact of extreme bushfire behaviour.<br>– Fuel is managed in a minimum fuel condition.<br>– There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.<br>▪ Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.<br>▪ The dwelling is constructed to a bushfire attack level of BAL FZ.<br>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 defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:<br>▪ An integrated approach to risk management has been adopted that considers:<br>– The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.<br>– The intended frequency and nature of occupation.<br>– The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.<br>▪ Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment. |

### 53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

#### Approved measures

| Measure | Requirement |
|---|---|
| **AM 4.1** | A building used for a dwelling (including an extension or alteration to a dwelling), a small second dwelling, industry, office or retail premises is provided with:<br>▪ A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.<br>▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.<br>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.<br>▪ Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.<br>▪ 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.<br>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:<br>▪ The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.<br>▪ 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:<br>▪ Each lot satisfies the approved measure in **AM 2.1**.<br>▪ A building envelope for a single dwelling on each lot that complies with **AM 2.2** and provides defendable space in accordance with:<br>– Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or<br>– Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.<br>The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.<br>▪ Defendable space wholly contained within the boundaries of the proposed subdivision.<br>▪ Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilse communal areas, such as roads, where that land can meet the requirements for defendable space.<br>▪ Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.<br>▪ Water supply and vehicle access that complies with **AM 4.1**. |
| **AM 5.3** | An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting. |

| Measure | Requirement |
|---|---|
| **AM 5.4** | A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas. |

**Alternative measure**

| Measure | Requirement |
|---|---|
| **AltM 5.5** | A building envelope for a subdivision that creates 10 or more lots required under **AM 5.2** may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:<br>▪ All other requirements of **AM 5.2** have been met.<br>▪ Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment. |

### 53.02-4.5 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.

**53.02-5**
20/03/2023
VC229

## Tables : Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

### Table 1 Defendable space and construction

| Slope | Vegetation Type | Defendable space distance from building facade (metres) | | | | |
|---|---|---|---|---|---|---|
| | | Column A | Column B | Column C | Column D | Column E |
| All upslopes and flat land (0 degrees) | Forest | 48 | 35 | 25 | 19 | < 19 |
| | Woodland | 33 | 24 | 16 | 12 | < 12 |
| | Scrub | 27 | 19 | 13 | 10 | < 10 |
| | Shrubland | 19 | 13 | 9 | 7 | < 7 |
| | Mallee/ Mulga | 17 | 12 | 8 | 6 | < 6 |
| | Rainforest | 23 | 16 | 11 | 8 | < 8 |
| | Grassland | 19 | 13 | 9 | 6 | < 6 |
| Downslope >0 to 5 degrees | Forest | 57 | 43 | 32 | 24 | < 24 |
| | Woodland | 41 | 29 | 21 | 15 | < 15 |
| | Scrub | 31 | 22 | 15 | 11 | < 11 |
| | Shrubland | 22 | 15 | 10 | 7 | < 7 |
| | Mallee/ Mulga | 20 | 13 | 9 | 7 | < 7 |
| | Rainforest | 29 | 20 | 14 | 10 | < 10 |
| | Grassland | 22 | 15 | 10 | 7 | < 7 |
| Downslope >5 to 10 degrees | Forest | 69 | 53 | 39 | 31 | < 31 |
| | Woodland | 50 | 37 | 26 | 20 | < 20 |
| | Scrub | 35 | 24 | 17 | 12 | < 12 |
| | Shrubland | 25 | 17 | 11 | 8 | < 8 |
| | Mallee/ Mulga | 23 | 15 | 10 | 7 | < 7 |
| | Rainforest | 36 | 26 | 18 | 13 | < 13 |
| | Grassland | 25 | 17 | 11 | 8 | < 8 |
| Downslope >10 to 15 degrees | Forest | 82 | 64 | 49 | 39 | < 39 |
| | Woodland | 60 | 45 | 33 | 25 | < 25 |
| | Scrub | 39 | 28 | 19 | 14 | < 14 |
| | Shrubland | 28 | 19 | 13 | 9 | < 9 |

| Slope | Vegetation Type | Defendable space distance from building facade (metres) | | | | |
|---|---|---|---|---|---|---|
| | | Column A | Column B | Column C | Column D | Column E |
| | Mallee/ Mulga | 26 | 18 | 11 | 8 | < 8 |
| | Rainforest | 45 | 33 | 23 | 17 | < 17 |
| | Grassland | 28 | 20 | 13 | 9 | < 9 |
| Downslope >15 to 20 degrees | Forest | 98 | 78 | 61 | 50 | < 50 |
| | Woodland | 73 | 56 | 41 | 32 | < 32 |
| | Scrub | 43 | 31 | 21 | 15 | < 15 |
| | Shrubland | 31 | 22 | 15 | 10 | < 10 |
| | Mallee/ Mulga | 29 | 20 | 13 | 9 | < 9 |
| | Rainforest | 56 | 42 | 29 | 22 | < 22 |
| | Grassland | 32 | 23 | 15 | 11 | < 11 |

| | | BAL 12.5 | BAL19 | BAL29 | BAL40 | BALFZ |
|---|---|---|---|---|---|---|
| Downslope >20 degrees | All vegetation | Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2018 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority. | | | | |
| All slopes | Low threat vegetation | Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5. | | | | |
| All slopes | Modified vegetation | Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29. | | | | |

*Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.*

*Note 2: Modified vegetation is vegetation that doesn't fit into the vegetation classifications in AS3959:2018 Construction of buildings in bushfire prone areas (the standard) because it:*
*- has been modified, altered or is managed due to urban development, or gardening,*
*- has different fuel loads from those assumed in the standard,*
*- has limited or no understorey vegetation, or*
*- is not low-threat or low-risk vegetation as defined in the standard.*

**Table 2 Defendable space and construction**

| Slope | Vegetation | Defendable space distance from building facade (metres) | | | |
|---|---|---|---|---|---|
| | | Column A | Column B | Column C | Column D |
| All upslopes and flat land (0 degrees) | Forest | 48 | 35 | 25 | 19 |
| | Woodland | 33 | 24 | 16 | 12 |

| Slope | Vegetation | Defendable space distance from building facade (metres) | | | |
|---|---|---|---|---|---|
| | | Column A | Column B | Column C | Column D |
| | Scrub | 27 | 19 | 13 | 10 |
| | Shrubland | 19 | 13 | 9 | 7 |
| | Mallee/ Mulga | 17 | 12 | 8 | 6 |
| | Rainforest | 23 | 16 | 11 | 8 |
| | Grassland | 19 | 13 | 9 | 6 |
| Downslope >0 to 5 degrees | Forest | 57 | 43 | 32 | 24 |
| | Woodland | 41 | 29 | 21 | 15 |
| | Scrub | 31 | 22 | 15 | 11 |
| | Shrubland | 22 | 15 | 10 | 7 |
| | Mallee/ Mulga | 20 | 13 | 9 | 7 |
| | Rainforest | 29 | 20 | 14 | 10 |
| | Grassland | 22 | 15 | 10 | 7 |
| Downslope >5 to 10 degrees | Forest | 69 | 53 | 39 | 31 |
| | Woodland | 50 | 37 | 26 | 20 |
| | Scrub | 35 | 24 | 17 | 12 |
| | Shrubland | 25 | 17 | 11 | 8 |
| | Mallee/ Mulga | 23 | 15 | 10 | 7 |
| | Rainforest | 36 | 26 | 18 | 13 |
| | Grassland | 25 | 17 | 11 | 8 |
| Downslope >10 to 15 degrees | Forest | 82 | 64 | 49 | 39 |
| | Woodland | 60 | 45 | 33 | 25 |
| | Scrub | 39 | 28 | 19 | 14 |
| | Shrubland | 28 | 19 | 13 | 9 |
| | Mallee/ Mulga | 26 | 18 | 11 | 8 |
| | Rainforest | 45 | 33 | 23 | 17 |
| | Grassland | 28 | 20 | 13 | 9 |
| Downslope >15 to 20 degrees | Forest | 98 | 78 | 61 | 50 |
| | Woodland | 73 | 56 | 41 | 32 |

| Slope | Vegetation | Defendable space distance from building facade (metres) | | | |
|---|---|---|---|---|---|
| | | Column A | Column B | Column C | Column D |
| | Scrub | 43 | 31 | 21 | 15 |
| | Shrubland | 31 | 22 | 15 | 10 |
| | Mallee/ Mulga | 29 | 20 | 13 | 9 |
| | Rainforest | 56 | 42 | 29 | 22 |
| | Grassland | 32 | 23 | 15 | 11 |
| | | BAL12.5 | BAL19 | BAL29 | BAL40 |
| Downslope >20 degrees | All vegetation | Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2018 Construction of buildings in bushfire prones areas (Standards Australia) subject to any guidance published by the relevant fire authority. | | | |
| All slopes | Low threat vegetation | Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5. | | | |
| All slopes | Modified vegetation | Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29. | | | |

*Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.*

*Note 2: Modified vegetation is vegetation that doesn't fit into the vegetation classifications in AS3959:2018 Construction of buildings in bushfire prone areas (the standard) because it:*
*- has been modified, altered or is managed due to urban development, or gardening,*
*- has different fuel loads from those assumed in the standard,*
*- has limited or no understorey vegetation, or*
*- is not low-threat or low-risk vegetation as defined in the standard.*

**Table 3 Defendable space**

| Vegetation class | Defendable space distance from building facade (metres) | | | | |
|---|---|---|---|---|---|
| | Upslope and flat land (0 degrees) | Downslope (degrees) | | | |
| | | >0-5 | >5-10 | >10-15 | >15-20 |
| Forest | 60 | 70 | 85 | 105 | 125 |
| Woodland | 40 | 50 | 62 | 75 | 95 |
| Shrubland | 25 | 28 | 32 | 36 | 41 |
| Scrub | 35 | 40 | 45 | 50 | 55 |
| Mallee/Mulga | 23 | 26 | 30 | 35 | 40 |
| Rainforest | 30 | 36 | 46 | 60 | 70 |

| Vegetation class | Defendable space distance from building facade (metres) | | | | |
|---|---|---|---|---|---|
| | Upslope and flat land (0 degrees) | Downslope (degrees) | | | |
| | | >0-5 | >5-10 | >10-15 | >15-20 |
| Grassland | 35 | 40 | 45 | 50 | 55 |

**Table 4 Water supply requirements**

**Capacity, fittings and access**

| Lot sizes (square meters) | Hydrant available | Capacity (litres) | Fire authority fittings and access required |
|---|---|---|---|
| Less than 500 | Not applicable | 2,500 | No |
| 500-1,000 | Yes | 5,000 | No |
| 500-1,000 | No | 10,000 | Yes |
| 1,001 and above | Not applicable | 10,000 | Yes |

*Note 1: A hydrant is available if it is located within 120 metres of the rear of the building*

**Fire authority requirements**

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

**Table 5 Vehicle access design and construction**

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

| Column A | Column B |
|---|---|
| Length of access is less than 30 metres | There are no design and construction requirements if fire authority access to the water supply is not required under **AM4.1**. |

| Column A | Column B |
|---|---|
| Length of access is less than 30 metres | Where fire authority access to the water supply is required under **AM4.1** fire authority vehicles should be able to get within 4 metres of the water supply outlet. |
| Length of access is greater than 30 metres | The following design and construction requirements apply:<br>▪ All-weather construction.<br>▪ A load limit of at least 15 tonnes.<br>▪ Provide a minimum trafficable width of 3.5 metres.<br>▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.<br>▪ Curves must have a minimum inner radius of 10 metres.<br>▪ 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.<br>▪ 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:<br>▪ A turning circle with a minimum radius of eight metres.<br>▪ A driveway encircling the dwelling.<br>▪ 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.<br>▪ 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:<br>▪ Grass must be short cropped and maintained during the declared fire danger period.<br>▪ All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.<br>▪ Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.<br>▪ Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.<br>▪ Shrubs must not be located under the canopy of trees.<br>▪ 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.<br>▪ The canopy of trees must be separated by at least 5 metres.<br>▪ There must be a clearance of at least 2 metres between the lowest tree branches and ground level.<br>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:<br>▪ 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<br>▪ is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.<br>Any openings in the wall shall be protected in accordance with the following:<br>i. Doorways – by FLR -/60/30 self-closing fire doors<br>ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position<br>iii. Other openings – by construction with a FRL of not less than -/60/-<br>*Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.* |

*Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.*

# 53.03 RESIDENTIAL RETICULATED GAS SERVICE CONNECTION

01/01/2024
VC250

## Purpose

To prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

## 53.03-1 Application

01/01/2024
VC250

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.

## 53.03-2 Building and works requirement

01/01/2024
VC250

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."*

## 53.03-3 Subdivision requirement

01/01/2024
VC250

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 Application requirements

01/01/2024
VC250

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 Transitional provisions

01/01/2024
VC250

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 Definitions

01/01/2024
VC250

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 CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

31/07/2018
VC148

## 53.04-1 Application

31/07/2018
VC148

These requirements only apply to land in a residential zone.

## 53.04-2 Decision guidelines

20/01/2022
VC205

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Transport Zone 2 or Transport Zone 3.
  - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.

  - Avoid disruption to traffic flow on land in a Transport Zone 2 or Transport Zone 3.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.

## 53.05 FREEWAY SERVICE CENTRE

14/05/2021
VC198

### Purpose

To ensure that freeway service centres are appropriately designed and located.

To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Head, Transport for Victoria.

To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.

To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.

To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

## 53.05-1 Requirements to be met

14/08/2023
VC236

### Facilities and services

A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

### Access to freeway service centres

No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.

An application to use or develop land for a freeway service centre must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.02.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the person or body specified as the referral authority in Clause 66.02.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

"This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards."

#### Metropolitan freeway service centre adjoining a residential zone

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

## 53.05-2 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The Freeway Service Centres Design Guidelines, May 1997.

# 53.06 LIVE MUSIC ENTERTAINMENT VENUES

28/09/2020
VC183

## Purpose

To recognise that live music is an important part of the State's culture and economy.

To encourage the retention of existing and the development of new live music entertainment venues.

To protect live music entertainment venues from the encroachment of noise sensitive residential uses.

To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.

To ensure that the primary responsibility for noise attenuation rests with the agent of change.

## 53.06-1 Application

28/09/2020
VC183

This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- A live music entertainment venue.
- A noise sensitive residential use that is within 50 metres of a live music entertainment venue.
- A noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause

This clause does not apply to:

- The extension of an existing dwelling.
- A noise sensitive residential use that is in an area specified in clause 2.0 of the schedule to this clause.

## 53.06-2 Meaning of terms

14/12/2023
VC253

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 Requirements to be met

04/05/2022
VC210

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- Indoor live music entertainment venue to below the noise limits specified in the Environment Protection Regulations under the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826, Environment Protection Authority, November 2020)
- Outdoor live music entertainment venue to below 45dB(A), assessed as an $L_{eq}$ over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (consistent with EPA Publication 1826).

A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

## 53.06-4 Application requirements

28/09/2020
VC183

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

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.
- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.
- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.
- Details of existing and proposed acoustic attenuation measures.
- An assessment of the impact of the proposal on the functioning of live music venues.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

## 53.06-5 Decision guidelines

28/09/2020
VC183

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The extent to which the siting, layout, design and construction minimise the potential for noise impacts.
- Whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
- Whether the proposal adversely affects any existing uses.
- The social and economic significance of an existing live music entertainment venue.
- The impact of the proposal on the functioning of live music venues.

18/02/2021
GC175

# SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES

## 1.0 Areas to which Clause 53.06 does apply

04/05/2022
VC210

| Name of area | Description |
|---|---|
| None specified | |

## 2.0 Areas to which Clause 53.06 does not apply

04/05/2022
VC210

| Name of area | Description |
|---|---|
| None specified | |

## 3.0 Other venues to which Clause 53.06 applies

04/05/2022
VC210

| Name of venue | Address | Condition or limitation |
|---|---|---|
| None specified | | |

# 53.07 SHIPPING CONTAINER STORAGE

31/07/2018
VC148

## Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

## 53.07-1 Decision guidelines

20/01/2022
VC205

Before deciding on an application to use land for shipping container storage, or construct a building or construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Transport Zone 2 or a Transport Zone 3.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.
- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.
- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.
- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.
- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.
- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.
- The adequacy of traffic measures to:

  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.

## 53.08 CATTLE FEEDLOT

31/07/2018
VC148

### Purpose

To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

## 53.08-1 Requirements to be met

31/07/2018
VC148

All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.

# 53.09 POULTRY FARM

11/04/2019
VC156

## Purpose

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

## 53.09-1 Application

21/09/2018
VC150

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

## 53.09-2 Permit not required – Outdoor range area for existing broiler farm

21/09/2018
VC150

Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

## 53.09-3 Requirement – Broiler farm

21/09/2018
VC150

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

## 53.09-4 Exemption from notice and review

11/04/2019
VC156

The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a "Class A Broiler Farm", as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.
- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.

**Table 1 Minimum setbacks**

| Chicken numbers | Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital) | Minimum distance to land in a residential zone |
|---|---|---|
| 1,000 chickens or less | 50 metres | 200 metres |
| More than 1,000 chickens | 100 metres | 400 metres |

## 53.09-5 Notice of an application

21/09/2018
VC150

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

## 53.09-6 Decision guidelines

21/09/2018
VC150

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).

# 53.10 USES WITH ADVERSE AMENITY POTENTIAL

26/05/2020
VC175

## Purpose

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

## 53.10-1 Threshold distance

26/09/2023
VC246

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

**Table to Clause 53.10-1**

| Type of use or activity (purpose) | Threshold distance (metres) |
|---|---|
| **Basic metal products** | |
| Iron or steel production: | |
| ▪ up to 1,000,000 tonnes per year | 500 |
| ▪ exceeding 1,000,000 tonnes per year | 1,000 |
| Non-ferrous metal production: | |
| ▪ up to 100 tonnes per year | 100 |
| ▪ between 100 and 2,000 tonnes per year | 300 |
| ▪ exceeding 2,000 tonnes per year | 500 |
| ▪ aluminium by electrolysis | 2,000 |
| **Chemical, petroleum and coal products** | |
| Ammunition, explosives and fireworks production | 1,000 |
| Biocides production and storage | 1,000 |
| Briquette production | 300 |
| Chemical product manufacture other than listed within this group | 300 |
| Coke processing | 500 |
| Cosmetics and toiletries production | 100 |

| Type of use or activity (purpose) | Threshold distance (metres) |
|---|---|
| Fertiliser production | 1,000 |
| Gasworks | 1,000 |
| Industrial gases production | 1,000 |
| Organic and inorganic industrial chemicals production other than those listed within this group | 2,000 |
| Other petroleum or coal production | 500 |
| Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year | 500 |
| Petroleum refinery | 2,000 |
| Pharmaceutical and veterinary chemical production | 1,000 |
| Polyester and synthetic resins production, exceeding 2,000 tonnes per year | 1,000 |
| Rubber production: | |
| ▪ synthetic rubber, exceeding 2,000 tonnes per year | 1,000 |
| ▪ using either organic solvents or carbon black | 300 |
| ▪ using sulphur | 1,000 |
| Soap and detergent production | 500 |
| **Fabricated metal products** | |
| Abrasive blast cleaning | 500 |
| Boiler maker | 100 |
| Metal coating and finishing | 500 |
| Structural or sheet metal production | 500 |
| **Food and beverages** | |
| Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day | 500 |
| Animal processing | 1,000 |
| Bakery (other than one ancillary to a shop): | |
| ▪ exceeding 200 tonnes per year | 100 |
| ▪ night-time operations, exceeding 200 tonnes per year | 500 |
| Flour mill, exceeding 200 tonnes per year | 250 |
| Food production other than those listed within this group: | |
| ▪ exceeding 200 tonnes per year | 250 |

| Type of use or activity (purpose) | Threshold distance (metres) |
|---|---|
| ▪ including frying, drying or roasting, exceeding 200 tonnes per year | 500 |
| Grain and stockfeed mill and handling facility | |
| ▪ with meat meals or tallow | 500 |
| ▪ no meat meals or tallow | 250 |
| Maltworks, exceeding 200 tonnes per year | 500 |
| Manufacture of milk products, exceeding 200 tonnes per year | 300 |
| Milk depot | 100 |
| Pet food production | 500 |
| Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year | 500 |
| Seafood processor, exceeding 200 tonnes per year | 500 |
| Smallgoods production: | |
| ▪ exceeding 200 tonnes per year | 100 |
| ▪ including smoking and drying, exceeding 200 tonnes per year | 500 |
| **Miscellaneous manufacturing** | |
| Printing and coating works with heated curing ovens | 500 |
| Rendering and casings works | 1,000 |
| **Non-metallic mineral products** | |
| Bitumen batching plant | 1,000 |
| Cement production in amounts: | |
| ▪ up to 5,000 tonnes per year | 300 |
| ▪ between 5,000 and 150,000 tonnes per year | 500 |
| ▪ exceeding 150,000 tonnes per year | 1,000 |
| Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year: | 500 |
| Concrete batching plant, with a production rate exceeding 5,000 tonnes per year | 300 |
| Glass and glass production including glass wool and fibreglass | 500 |
| Plaster or plaster articles production, exceeding 5,000 tonnes per year | 200 |
| Rock wool manufacture | 500 |

| Type of use or activity (purpose) | Threshold distance (metres) |
|---|---|
| Solar salt manufacture | 1,000 |
| **Other premises** | |
| Automotive body, paint and interior repair | 100 |
| Rural industry handling, processing or packing agricultural produce | 300 |
| **Paper and paper products** | |
| Paper or paper pulp production: | |
| ▪ involving combustion of sulphur or sulphur containing materials | 5,000 |
| ▪ from semi-processed materials | 100 |
| ▪ from prepared cellulose and rags | 200 |
| ▪ by other methods than above | None specified |
| **Recreational, personal and other services** | |
| Dry cleaning for commercial and institutional customers, or in bulk quantities | 100 |
| Laundry for commercial and institutional customers, or in bulk quantities | 100 |
| **Textiles** | |
| Carpet backing with latex | 500 |
| Dyeing or finishing of cotton, linen and woollen yarns and textiles | 300 |
| Leather and artificial leather goods production | 300 |
| Leather tanning and dressing: | |
| ▪ up to 250 tonnes per year | 300 |
| ▪ exceeding 250 tonnes per year | 2,000 |
| Rope, cordage and twine production | 100 |
| Treatment or production of natural and synthetic fibres and textiles | 1,000 |
| Treatment or production of textiles using carbon disulphide | 500 |
| Wool scouring | 200 |
| **Transport and storage** | |
| Bus depot | 200 |
| Depot for refuse collection vehicles | 100 |
| Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes | 1,000 |

| Type of use or activity (purpose) | Threshold distance (metres) |
|---|---|
| Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity: | |
| ▪ with fixed roofs | 300 |
| ▪ with floating roofs | 100 |
| Storage of wet-salted or unprocessed hides | 250 |
| **Waste, recycling and resource recovery** | |
| Chemical or oil recycling | 1,000 |
| Combustion, treatment or bio-reaction of waste to produce energy | None specified |
| Composting and other organic materials recycling | None specified |
| Container deposit scheme centre exceeding 1,000 square metres gross floor area | 200 |
| Hazardous waste storage or treatment | 1,000 |
| Landfill | None specified |
| Other recourse recovery or recycling operations | None specified |
| Soil conditioning or blending | None specified |
| Transfer station (other than Automated collection point and Container deposit scheme centre): | |
| ▪ accepting organic wastes | 500 |
| ▪ other | 200 |
| Used plastics treatment or processing | 500 |
| Waste tyre recycling and re-treading | 1,000 |
| Vehicle recycling or disposal | 500 |
| **Water and wastewater** | |
| Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day | None specified |
| Water treatment plant | None specified |
| **Wood, wood products and furniture** | |
| Charcoal production: | |
| ▪ by the retort process | 500 |
| ▪ other than by the retort process | 1,000 |
| Joinery | 100 |

| Type of use or activity (purpose) | Threshold distance (metres) |
|---|---|
| Sawmill, wood products and furniture | 500 |
| Wood preservation plant: | |
| up to 10,000 cubic metres of timber per year | 100 |
| exceeding 10,000 cubic metres of timber per year | 300 |

# 53.11 TIMBER PRODUCTION

31/07/2018
VC148

## 53.11-1 Timber production on Crown land

31/07/2018
VC148

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the *Forests Act 1958* and the *Sustainable Forests (Timber) Act 2004*, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forest and Lands Act 1987*), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

## 53.11-2 Timber production to comply with the Code of Practice for Timber Production

20/03/2023
VC229

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022). In accordance with Section 6(4A) of the *Planning and Environment Act 1987*, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

## 53.11-3 Road repairs

31/07/2018
VC148

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the *Road Management Act 2004*.

## 53.11-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
- The role of native forest and plantations in:
  - Protecting water quality.
  - Conserving flora and fauna.
  - Preventing land degradation, including soil erosion, salinisation and water logging.
  - Preventing adverse effects on groundwater recharge.
- The preservation of and impact on the natural environment, cultural heritage and visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.

## 53.12 RACING DOG KEEPING AND TRAINING

08/08/2019
VC159

### Purpose

To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

### 53.12-1 Requirement

08/08/2019
VC159

An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017).

This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

### 53.12-2 Exemption from notice and review

31/07/2018
VC148

An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017) are met.

## 53.13 RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

17/09/2019
VC161

### Purpose

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

### 53.13-1 Application

17/09/2019
VC161

This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

### 53.13-2 Application requirements

01/07/2021
VC203

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

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.
- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
    - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - the effect of traffic to be generated on roads.
    - the impact upon Aboriginal or non-Aboriginal cultural heritage.
    - the impact of the proposal on any species listed under the *Flora and Fauna Guarantee Act 1988* or *Environment Protection and Biodiversity Conservation Act 1999*.
    - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
    - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.

## 53.13-3 Decision guidelines

28/10/2022
VC224

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land.
- The impact of the proposal on the protection of declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, October 2022).

## 53.13-4 Amendment VC161 transitional provisions

17/09/2019
VC161

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

## 53.14 RESOURCE RECOVERY

31/07/2018
VC148

### Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

## 53.14-1 Application

31/07/2018
VC148

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

## 53.14-2 Application requirements

01/07/2021
VC203

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

## 53.14-3 Decision Guidelines

14/01/2025
VC237

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 STATEMENT OF UNDERLYING PROVISIONS

31/07/2018
VC148

### Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the *Planning and Environment Act 1987* if the land had not been reserved for that purpose.

## 53.15-01 Application

31/07/2018
VC148

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.

31/07/2018
VC148

# SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

## 1.0

24/06/2021
C83gpla

## Incorporated statement

| Land | Incorporated Document |
|---|---|
| None specified | |

## 53.16 PIG FARM

11/04/2019
VC156

### Purpose

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

## 53.16-1 Application

21/09/2018
VC150

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

## 53.16-2 Exemption from notice and review

04/05/2022
VC210

An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

**Table 1 Standard Pig Unit conversion factors**

| Pig Class | Mass Range (kg) | Age Range (weeks) | SPU Factor |
|---|---|---|---|
| **Gilt** | 100 – 160 | 24 -30 | 1.8 |
| **Boar** | 100 – 300 | 24 – 128 | 1.6 |
| **Gestating sow** | 160 – 230 | - | 1.6 |
| **Lactating sow** | 160 – 230 | - | 2.5 |
| **Sucker** | 1.4 – 8 | 0 – 4 | 0.1 |
| **Weaner** | 8 – 25 | 4 – 10 | 0.5 |
| **Grower** | 24 – 55 | 10 – 16 | 1.0 |
| **Finisher** | 55 – 100 | 16 – 24 | 1.6 |

| Pig Class | Mass Range (kg) | Age Range (weeks) | SPU Factor |
|---|---|---|---|
| **Heavy Finisher** | 100 – 130 | 24 -30 | 1.8 |

*Note: Adapted from the National Environmental Guidelines for Piggeries 2010*

## 53.16-3 Decision guidelines

21/09/2018
VC150

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).

# 53.17 RESIDENTIAL AGED CARE FACILITY

14/12/2023
VC253

## 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 Application

25/02/2025
VC257

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 Application requirements

26/10/2018
VC152

An application must be accompanied by:

- A site and context description.
- A design response.
- A landscape plan.

### Site and context description

The site and context description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### Design response

The design response must explain how the proposed design:

- Responds to the site and context description.
- Meets the requirements of this clause.

### Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

## 53.17-3 Development requirements

25/02/2025
VC257

### 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 |

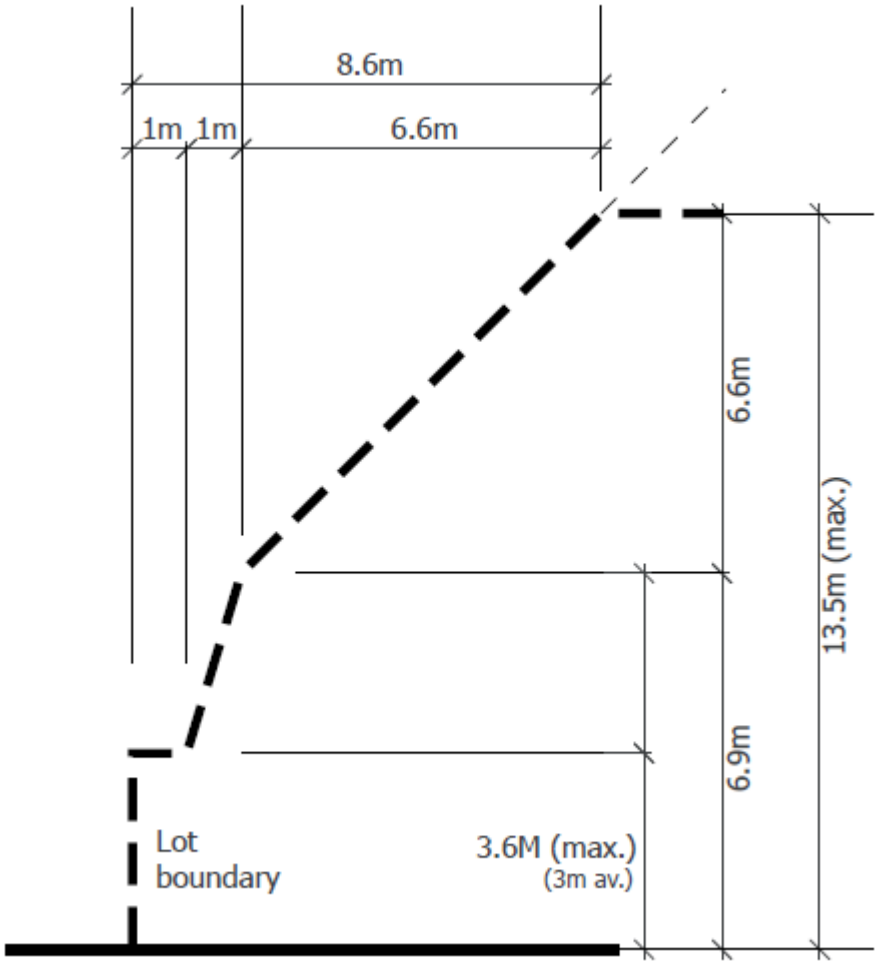
| Development context | Minimum setback from front street (metres) | Minimum setback from a side street (metres) |
|---|---|---|
| | of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.<br>If there is no 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.<br>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser. |

**Side and rear setbacks**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.




### Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports;

whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

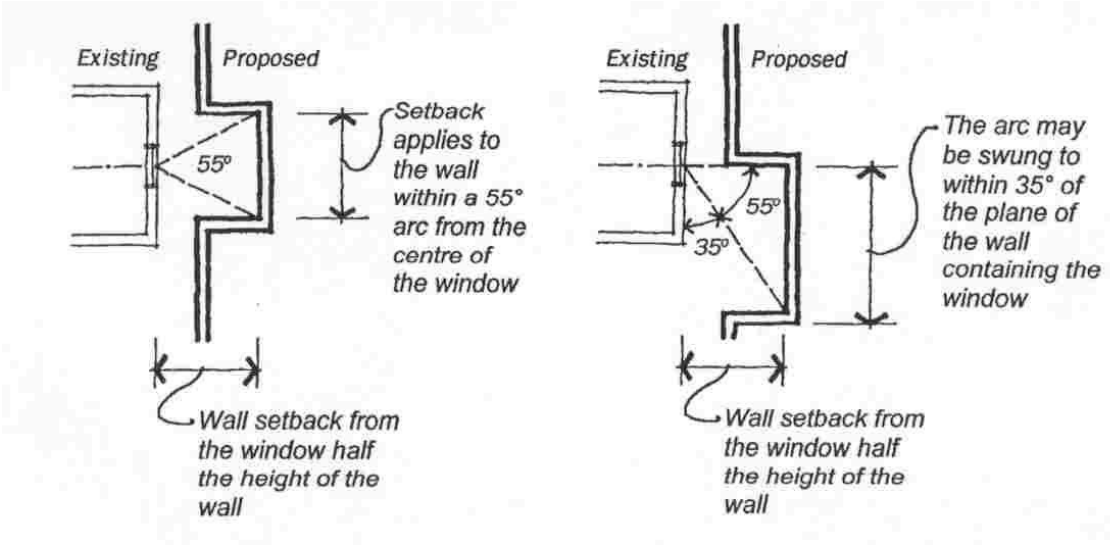
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

### Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

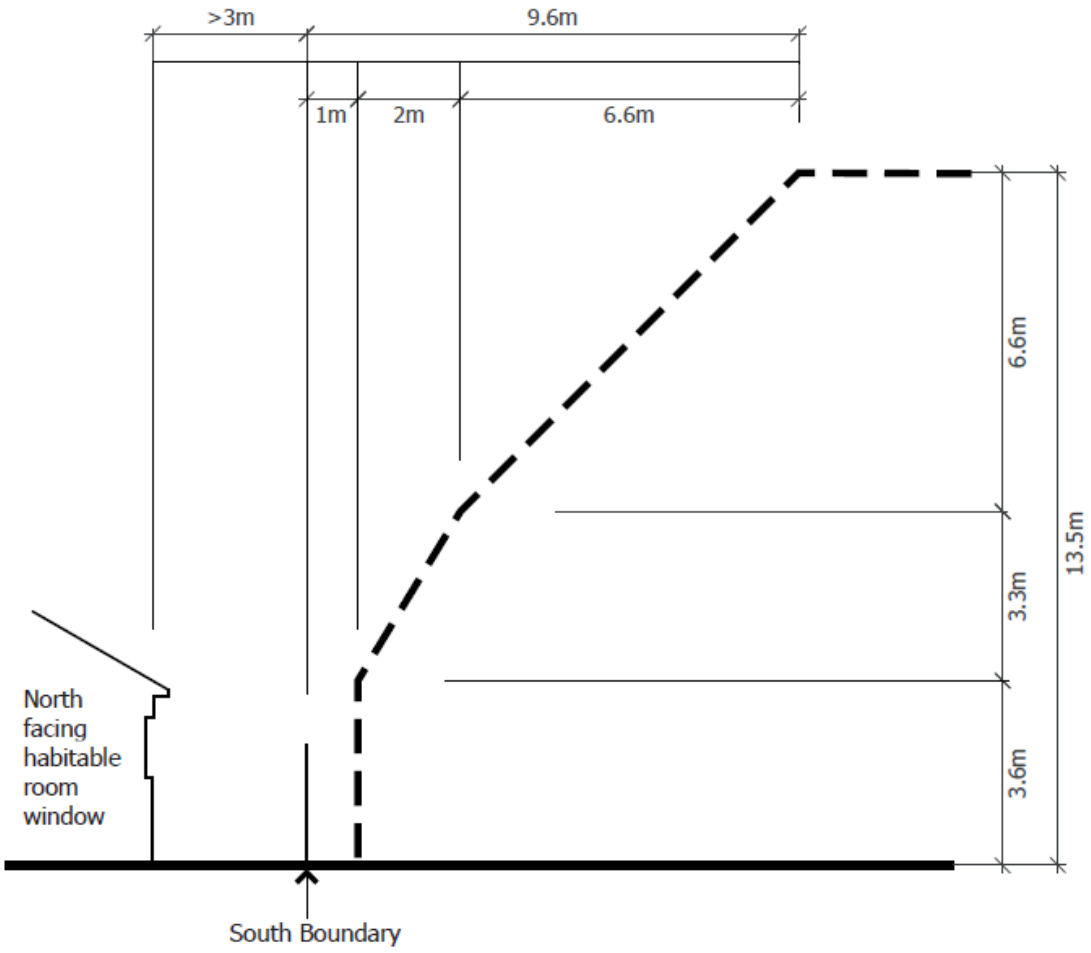
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.




**North-facing windows**

If a north-facing habitable room window of an existing dwelling 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:

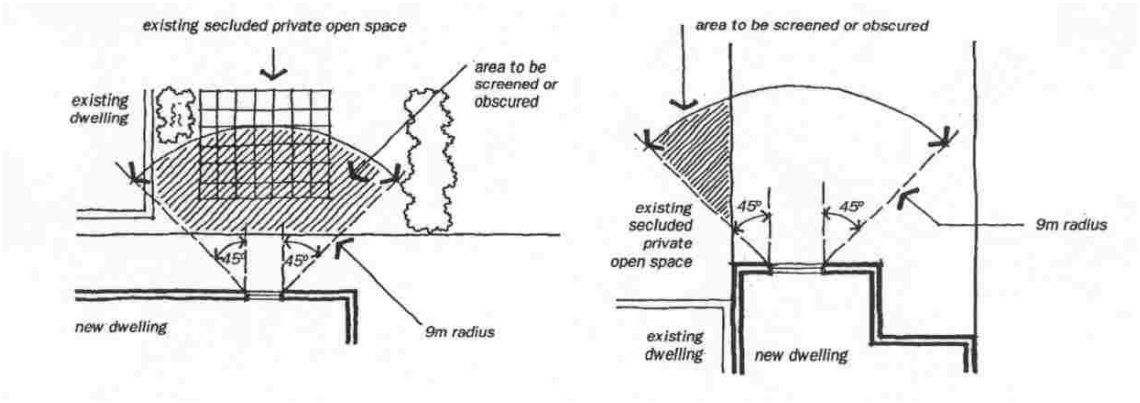
- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres 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 Decision guidelines

14/12/2023
VC253

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 STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

26/10/2018
VC154

## Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

## 53.18-1 Application

28/10/2022
VC224

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Transport Zone 2, Transport Zone 3, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone (Part A – No precinct structure plan applies).
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

### Transitional provisions

Clause 53.18 of this scheme, as in force immediately before the approval date of Amendment VC224, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

## 53.18-2 Operation

26/10/2018
VC154

The provisions of this clause contain:

- **Objectives**. An objective describes the desired outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the objective.

  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

## 53.18-3 Requirements

26/10/2018
VC154

An application to subdivide land:

- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

## 53.18-4 Stormwater management objectives for subdivision

03/02/2022
VC199

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

### Standard W1

The stormwater management system should be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedance Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria da Vave < 0.35 m2/s (where, da = average depth in metres and Vave = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

## 53.18-5 Stormwater management objectives for buildings and works

26/10/2018
VC154

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

### Standard W2

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

## 53.18-6 Site management objectives

26/10/2018
VC154

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.

### Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

## 53.18-7 Decision guidelines

26/10/2018
VC154

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

# 53.19 NON-GOVERNMENT SCHOOLS

03/12/2019
VC165

## Purpose

To facilitate new non-government schools.

To facilitate upgrades and extensions to existing non-government schools.

## 53.19-1 Application

04/12/2020
VC180

This clause applies to an application under any provision of this scheme, other than a VicSmart application, to use or develop land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school.

## 53.19-2 Exemption from review

04/12/2020
VC180

An application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

## 53.19-3 Transitional provisions

04/12/2020
VC180

Clause 53.19 of this scheme, as in force immediately before the approval date of Amendment VC180, continues to apply to:

- An application for a planning permit made before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was made before that date.

# 53.20 HOUSING BY OR ON BEHALF OF HOMES VICTORIA

14/12/2023
VC253

## 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.

## 53.20-1 Application

04/07/2025
VC258

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*.

## 53.20-2 Operation

14/12/2023
VC253

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.

## 53.20-3 Exemption from planning scheme provisions

31/03/2025
VC267

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 Exemption from notice and review

20/12/2021
VC207

An application under any provision of this scheme is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

## 53.20-5 Application requirements

20/03/2023
VC229

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

- Where the application is made on behalf of the Chief Executive Officer, Homes Victoria, a letter from Homes Victoria confirming that the application is made on behalf of the Chief Executive Officer, Homes Victoria.
- An urban context report. The urban context report may use a site plan, photographs or other techniques and must include an accurate description of:
  - Lot boundaries, site shape, size, orientation and easements on the subject site.
  - Levels and contours of the site and the difference in levels between the site and adjoining properties.
  - The location and height of existing buildings on the site and adjoining properties.
  - The use of adjoining buildings.
  - The location of secluded private open space of adjoining properties and the location of trees, fences and other landscape elements.
  - Solar access to the site and to adjoining properties.
  - Street frontage features such as poles, street lights, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Movement systems through and around the site.
  - Any other notable feature or characteristic of the site.
  - An assessment of the characteristics of the area including:
    - Any environmental features such as vegetation, topography and significant views.
    - The pattern of subdivision.
    - Street design and landscape.
    - The pattern of development.
    - Building form, scale and rhythm.
    - Connection to the public realm.
    - Architectural style, building details and materials.
    - Significant off-site noise sources.
    - For an apartment application, the relevant NatHERS climate zones.
    - Social and economic activity.
    - Any other notable or cultural characteristics of the area.
- A design response. The design response must explain how the proposed design:
  - Responds to any relevant planning provision.
  - Derives from and responds to the urban context report.

- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

## 53.20-6 Development standards

01/01/2024
VC250

### 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 carparks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

#### Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

**Table 2: Minimum dimensions of car parking spaces and accessways**

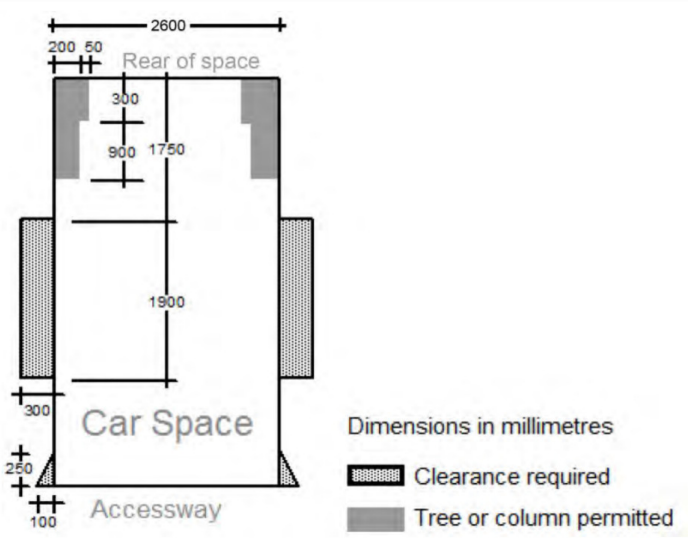
| Angle of car parking spaces to access way | Accessway width | Car space width | Car space length |
|---|---|---|---|
| **Parallel** | 3.6 m | 2.3 m | 6.7 m |
| **45º** | 3.5 m | 2.6 m | 4.9 m |
| **60º** | 4.9 m | 2.6 m | 4.9 m |
| **90º** | 6.4 m | 2.6 m | 4.9 m |
| | 5.8 m | 2.8 m | 4.9 m |
| | 5.2 m | 3.0 m | 4.9 m |
| | 4.8 m | 3.2 m | 4.9 m |

*Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**




Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

### Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

**Table 3: Ramp gradients**

| Type of car park | Length of ramp | Maximum grade |
|---|---|---|
| **Public car parks** | 20 metres or less | 1:5 (20%) |
| | longer than 20 metres | 1:6 (16.7%) |
| **Private or residential car parks** | 20 metres or less | 1:4 (25%) |
| | longer than 20 metres | 1:5 (20%) |

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

### Mechanical parking

Mechanical parking may be used to meet the carparking requirement provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

### Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

### Safety

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

### Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

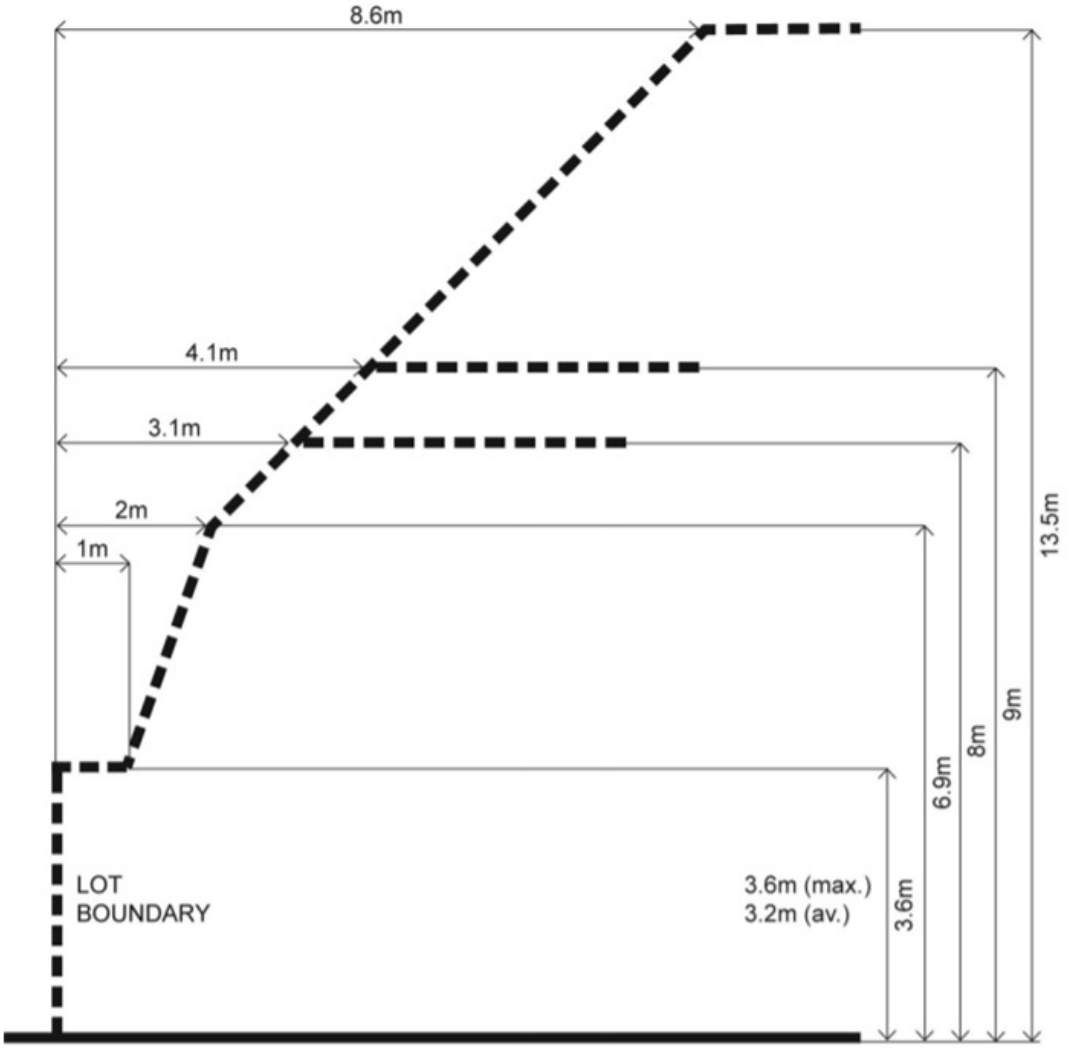
## 53.20-6.10 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Diagram 2 details the standard.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

**Diagram 2 Side and rear setbacks**




## 53.20-6.11 Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

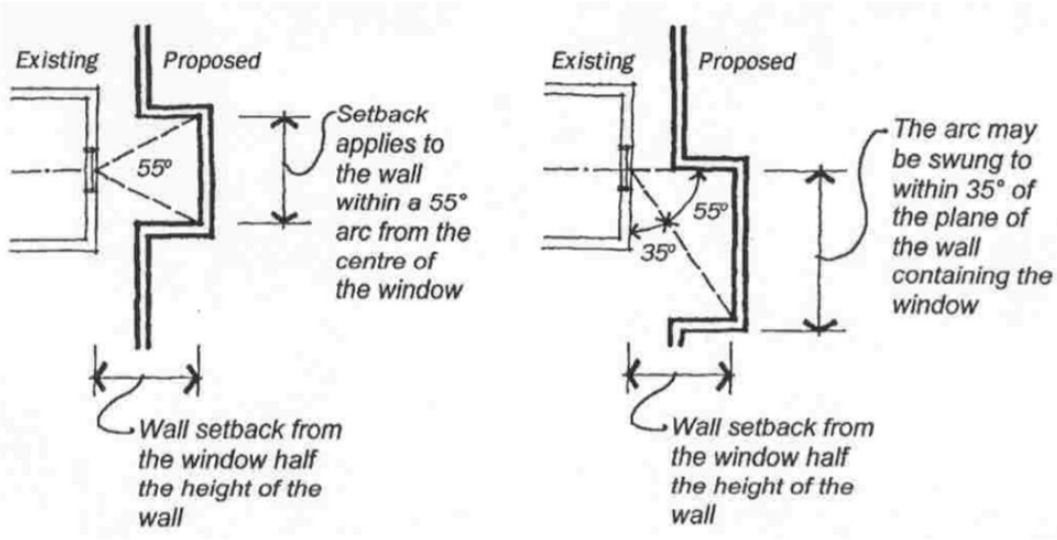
### 53.20-6.12 Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

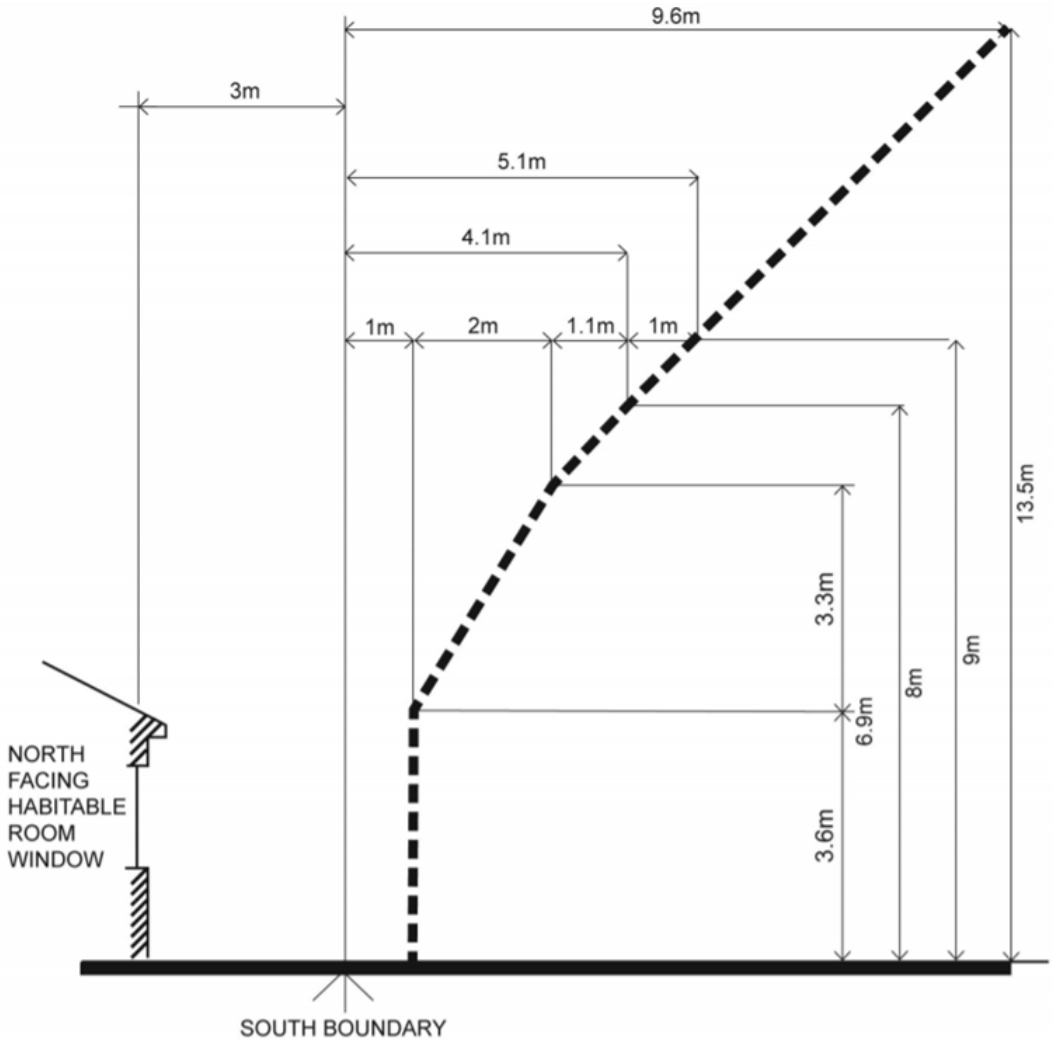
**Diagram 3 Daylight to existing windows**




### 53.20-6.13 North-facing windows

If a north-facing habitable room window of an existing dwelling 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.

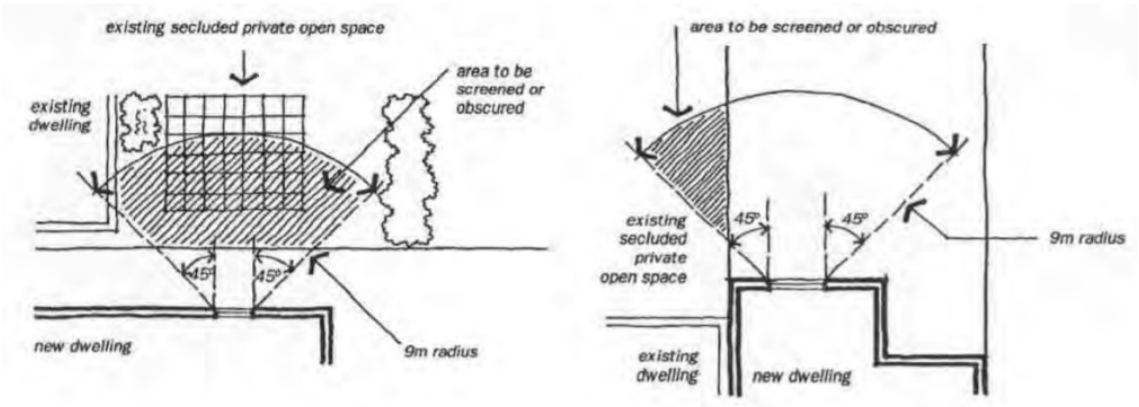
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

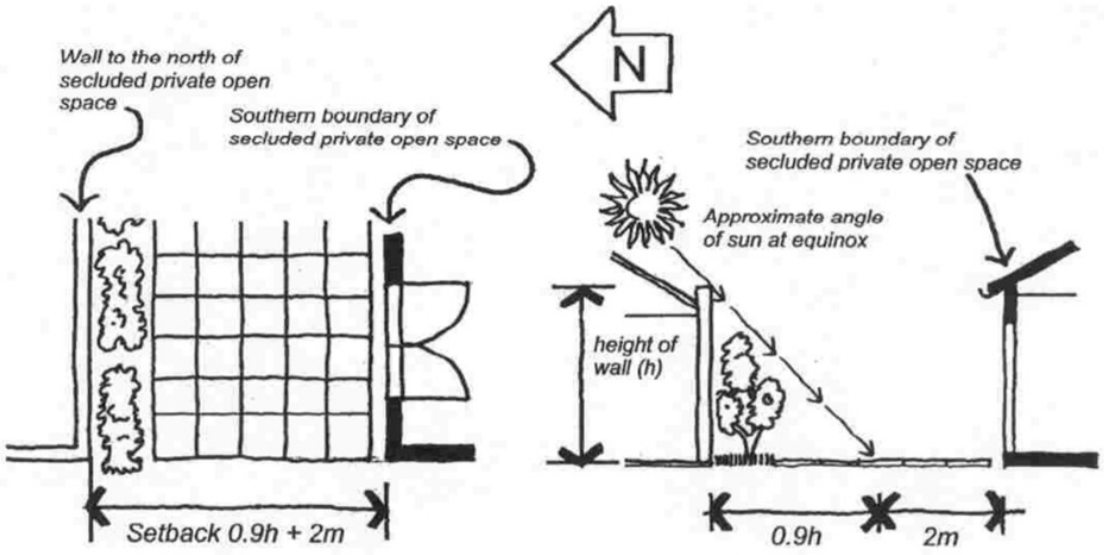
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

### 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 Development standards for apartments

14/12/2023
VC253

### 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<br>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<br>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:

  - 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<br>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<br>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<br>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<br>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:<br>- A slide door, or<br>- A door that opens outwards, or<br>- A door that opens inwards that is clear of the circulation area and has readily removable hinges. | Either:<br>- A slide door, or<br>- A door that opens outwards, or<br>- A door that opens inwards and has readily removable hinges. |
| Circulation area | A clear circulation area that is:<br>- A minimum area of 1.2 metres by 1.2 metres.<br>- Located in front of the shower and the toilet.<br>- Clear of the toilet, basin and the door swing.<br>The circulation area for the toilet and shower can overlap. | A clear circulation area that is:<br>- A minimum width of 1 metre.<br>- The full length of the bathroom and a minimum length of 2.7 metres.<br>- Clear of the toilet and basin.<br>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.<br>▪ 4 metres per second for standing areas.<br>▪ 5 metres per second for walking areas. |

## 53.20-9 Transitional provision

20/03/2023
VC229

The development standards for apartments at clause 53.20-6 and clause 53.20-7 introduced by Amendment VC207, do not apply to an application to construct or extend a dwelling, or to construct or extend a front fence if:

- Funded wholly or partly, under Victoria's Big Housing Build program;
- The application is made by or on behalf of the Chief Executive Officer, Homes Victoria; and
- The written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program has been signed before 30 June 2022.

## 53.20-10 Decision guidelines

14/12/2023
VC253

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 STATE TRANSPORT PROJECTS

17/02/2022
VC200

## Purpose

To facilitate the delivery of transport projects carried out by or on behalf of the State of Victoria.

## 53.21-1 Application

20/03/2023
VC229

This clause applies to an application under any provision of this planning scheme, other than a VicSmart application or an application to subdivide land, made by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.

## 53.21-2 Exemption from review

17/02/2022
VC200

An application to which clause 53.21 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

## 53.22 SIGNIFICANT ECONOMIC DEVELOPMENT

20/09/2023
VC242

### Purpose

To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.

To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

### 53.22-1 Application

04/07/2025
VC258

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.<br><br>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.<br><br>The application must not include a use that requires a permit if that use is not specified in Table 2.<br><br>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.<br>The proposed use or development must be:<br>▪ carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or<br>▪ funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or<br>▪ 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.<br>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:<br>▪ Purpose of clause 53.22.<br>▪ Estimated cost of development.<br>▪ Extent to which the development supports or implements planning policy.<br>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**<br>**Group accommodation**<br>**Food and drink premises (other than bar, convenience restaurant and take away food premises)**<br>**Leisure and recreation**<br>**Place of assembly**<br>**Recreational boat facility**<br>**Residential hotel** | 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:<br>▪ At least $10 million if any part of the land is in metropolitan Melbourne.<br>▪ At least $5 million if the land is not in metropolitan Melbourne. |

| Use | Condition |
|---|---|
| **Winery** | |
| **Agriculture**<br>**Data centre**<br>**Industry**<br>**Research centre**<br>**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:<br>▪ At least $20 million if any part of the land is in metropolitan Melbourne.<br>▪ At least $10 million if the land is not in metropolitan Melbourne. |
| **Hospital**<br>**Medical centre**<br>**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:<br>▪ At least $30 million if any part of the land is in metropolitan Melbourne; or<br>▪ 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:<br>▪ At least $30 million if any part of the land is in metropolitan Melbourne; or<br>▪ 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:<br>▪ At least $100 million if any part of the land is in metropolitan Melbourne; or<br>▪ 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:<br>▪ 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<br>▪ 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.<br>Must only be a gas-powered energy generation facility. |
| **Utility installation (other than data centre)** | A utility installation used to:<br>▪ Transmit or distribute electricity; or<br>▪ Store electricity if the installed capacity is 1 megawatt or greater; or<br>▪ Transmit or distribute gas.<br>must be proposed. |

## 53.22-2 Planning scheme requirements

04/07/2025
VC258

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 Application requirements

04/07/2025
VC258

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 Exemption from review

20/09/2023
VC242

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

## 53.22-5 Decision guidelines

04/07/2025
VC258

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 Transitional provision

20/09/2023
VC242

Clause 53.22 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
- An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.

## 53.23 SIGNIFICANT RESIDENTIAL DEVELOPMENT WITH AFFORDABLE HOUSING

04/07/2025
VC258

### 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.

## 53.23-1 Application

04/07/2025
VC258

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:<br>▪ At least $50 million if any part of the land is in metropolitan Melbourne.<br>▪ 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.<br><br>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:<br><br>▪ carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or<br><br>▪ funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or<br><br>▪ carried out on Crown land.<br><br>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:<br><br>▪ The purpose of clause 53.23.<br><br>▪ Whether a contribution towards affordable housing is proposed.<br><br>▪ The estimated cost of the proposed development.<br><br>▪ The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities.<br><br>▪ 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 Planning scheme requirements

04/07/2025
VC258

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 Application requirements

04/07/2025
VC258

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 Permit condition requirement

04/07/2025
VC258

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 Exemption from review

20/09/2023
VC242

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

### 53.23-6 Decision guidelines

04/07/2025
VC258

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 Transitional provision

20/09/2023
VC242

Clause 53.23 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
- An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.

# 53.24 FUTURE HOMES

22/09/2023
VC243

## Purpose

To facilitate apartment developments that incorporate exemplar designs approved under the Future Homes project.

To facilitate apartment developments that increase the density and diversity of housing to respond to Victoria's population growth.

To facilitate apartment developments that are exemplary in their design, liveability and sustainability.

## 53.24-1 Application

28/02/2025
VC274

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.

## 53.24-2 Meaning of terms

26/09/2023
VC246

An activity centre outside Metropolitan Melbourne means a:

- Central Activity District
- Central Business District
- City Centre
- Major Activity Centre
- Primary Activity Centre
- Principal Activity Centre
- Principal Centre

- Regional Activity Centre
- Regional Centre
- Regional Retail Centre

## 53.24-3 Pre-application referral requirements

25/02/2025
VC257

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 Application requirements

03/12/2024
VC269

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 Exemption from planning scheme requirements

31/03/2025
VC267

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 Exemption from review

25/02/2025
VC257

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 Development standards

03/12/2024
VC269

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<br>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<br>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<br>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<br>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<br>Area of deep soil | Tree in planter<br>Volume of soil planter | <br>Depth of soil planter |
|---|---|---|---|
| A | 12 square metres<br>(min. plan dimension 2.5 metres) | 12 cubic metres<br>(min. plan dimension of 2.5 metres) | 0.8 metre |
| B | 49 square metres<br>(min. plan dimension 4.5 metres) | 28 cubic metres<br>(min. plan dimension of 4.5 metres) | 1 metre |
| C | 121 square metres<br>(min. plan dimension 6.5 metres) | 64 cubic metres<br>(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 |

## 53.24-8 Decision guidelines

03/12/2024
VC269

Before deciding on an application the responsible authority must consider the purpose of this clause.

## 53.25 GREAT DESIGN FAST TRACK

07/04/2025
VC280

### 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 Application

07/04/2025
VC280

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 Planning scheme requirements

07/04/2025
VC280

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 Application requirements

07/04/2025
VC280

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 Exemption from review

07/04/2025
VC280

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 Decision guidelines

07/04/2025
VC280

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 Transitional provision

07/04/2025
VC280

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.

# 54 ONE DWELLING ON A LOT OR A SMALL SECOND DWELLING ON A LOT

11/09/2025
VC292

## 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:

- 32.04-5 and 32.04-6, Mixed Use Zone,
- 32.05-6 and 32.05-7, Township Zone,
- 32.07-4 and 32.07-5, Residential Growth Zone,
- 32.08-5 and 32.08-6, General Residential Zone,
- 32.09-5 and 32.09-6, Neighbourhood Residential Zone,
- 32.10-3 and 32.10-4, Housing Choice and Transport Zone,
- 43.05-2, Neighourhood Character Overlay, associated with one dwelling on a lot, in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Mixed Use Zone or Township Zone.

The objectives contained in clauses 54.02-8 and 54.03-5 do not apply to one dwelling on a lot.

The objectives contained in clauses 54.02-7, 54.03-1, 54.03-3, 54.05-3 and 54.05-4 do not apply to a small second dwelling.

## 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.

## 54.01 APPLICATION REQUIREMENTS

08/09/2025
VC282

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.

### 54.01-1 Site description

08/09/2025
VC282

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.

### 54.01-2 Design response

08/09/2025
VC282

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.

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.

# 54.02 NEIGHBOURHOOD CHARACTER

08/09/2025
VC282

## 54.02-1 Street setback objective

08/09/2025
VC282

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 A2-1

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 A2-1; or
- If no distance is specified in a schedule to the zone, the distance specified in Table A2-1.

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 A2-1 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.<br>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.<br>Side walls of new development on a corner site are setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser. |

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether 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.

### 54.02-2 Building height objective

08/09/2025
VC282

To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

#### Standard A2-2

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.

### 54.02-3 Side and rear setbacks objective

08/09/2025
VC282

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.

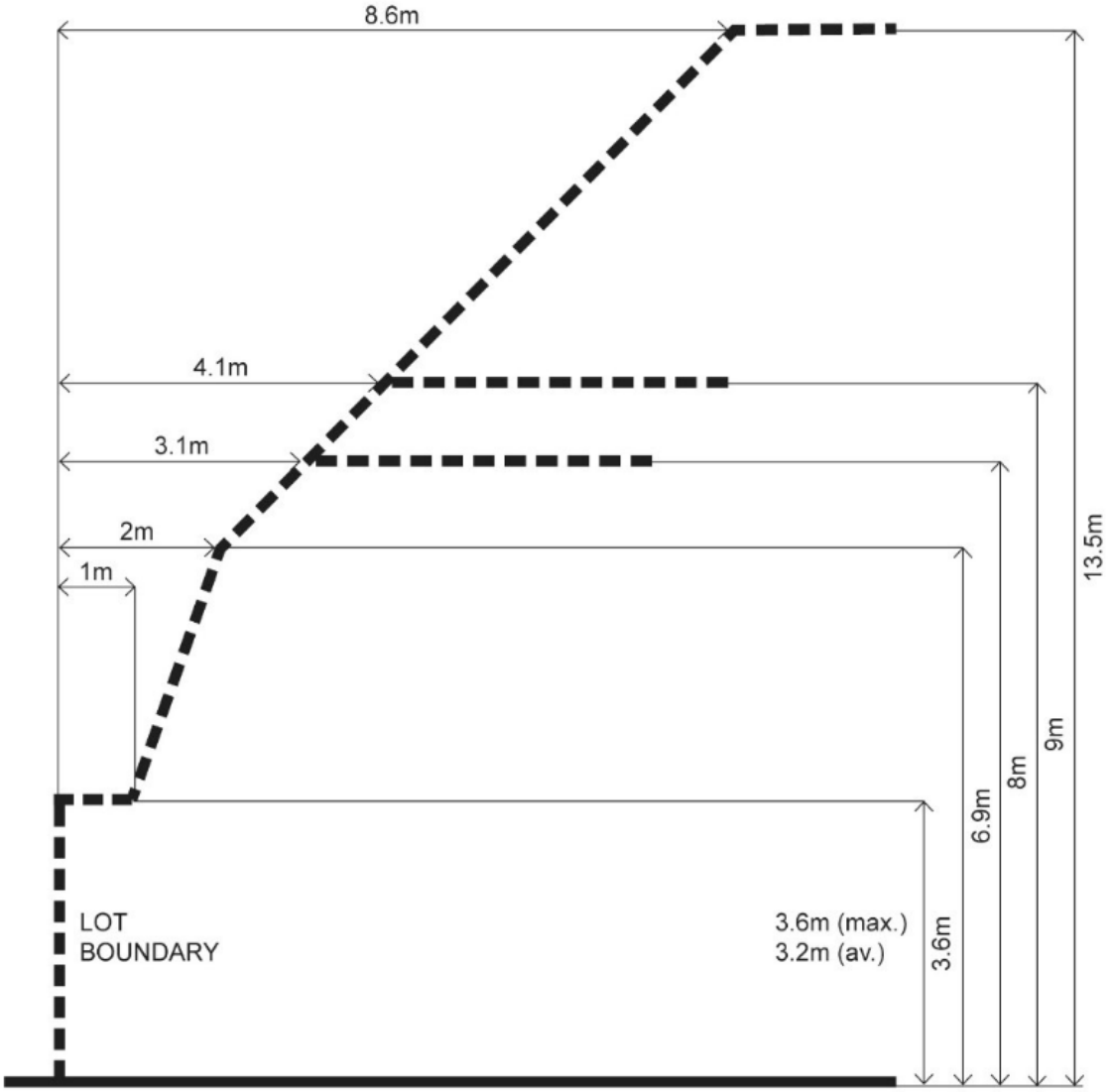
#### Standard A2-3

A new building not on or within 200mm of a boundary is set back from side or rear boundaries 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.

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 A2-3 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.

## 54.02-4 Walls on boundaries objective

08/09/2025
VC282

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 A2-4

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.

## 54.02-5 Site coverage objective

08/09/2025
VC282

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

### Standard A2-5

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 A2-5.

If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table A2-5.

**Table A2-5 Site coverage**

| Zone | Area |
|---|---|
| Neighbourhood Residential Zone<br>Township Zone | 60 per cent |
| General Residential Zone | 65 per cent |
| Residential Growth Zone<br>Mixed Use Zone<br>Housing Choice and Transport Zone | 70 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.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

## 54.02-6 Tree canopy objectives

08/09/2025
VC282

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 A2-6

Provide a minimum number of trees as specified in Table A2-6.

**Table A2-6 Minimum tree requirement**

| Site area | Tree |
|---|---|
| 100 square metres or less | One tree |
| Above 100 square metres to 200 square metres | Two trees |
| Above 200 square metres to 300 square metres | Three trees |

A tree must meet the following:

- Reach a height of at least 6 metres at maturity.

- Achieve a canopy width of at least 4 metres at maturity.
- Planted in a minimum deep soil area of 12 square metres with a minimum plan dimension 2.5 metres or in a planter with a minimum volume of 12 cubic metres with a minimum depth of 0.8 metres of planter soil.

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.

Existing trees that are retained can be used to satisfy the tree canopy requirement.

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.
- Whether an alternative combination of the canopy trees will provide the required canopy cover.

## 54.02-7 Front fences objective

08/09/2025
VC282

To encourage front fence design that responds to the existing or preferred neighbourhood character.

#### Standard A2-7

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 A2-7.

#### Table A2-7 Maximum front fence height

| Street context | Maximum front fence height |
|---|---|
| Streets in a Transport Zone 2 | 2 metres |
| Other streets | 1.5 metres |

This standard does not apply to a small second dwelling.

#### 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.

## 54.02-8 Building setback for small second dwellings objective

08/09/2025
VC282

To ensure that small second dwellings are sited to respond to the existing or preferred neighbourhood character.

### Standard A2-8

Walls of a small second dwelling are set back behind the front wall of the existing dwelling on the lot, facing the frontage.

Porches, pergolas, verandahs, and eaves do 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 LIVEABILITY

08/09/2025
VC282

## 54.03-1 Street integration objective

08/09/2025
VC282

To integrate the layout of development with the street to support the safety and amenity of residents.

### Standard A3-1

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.

This standard does not apply to a small second dwelling.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

## 54.03-2 Private open space objective

08/09/2025
VC282

To provide adequate private open space for the reasonable recreation and service needs of residents.

### Standard A3-2

A dwelling or small second dwelling 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 has private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 20 per cent of the area of the lot, but not less than 25 square metres. At least one part of the private open space consists of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres width; or
- A balcony with at least the area and dimensions specified in Table A3-2; 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 for private open space and secluded private open space must be less than the area and dimensions specified in this standard, and
- The area and dimensions specified for a balcony or an area on a roof must be less than the area and dimensions specified in this standard.

A small second dwelling has 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 area, dining area or kitchen.

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 A3-2 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 | 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 open space.
- The orientation of the lot to the street and the sun.

## 54.03-3 Solar access to open space objective

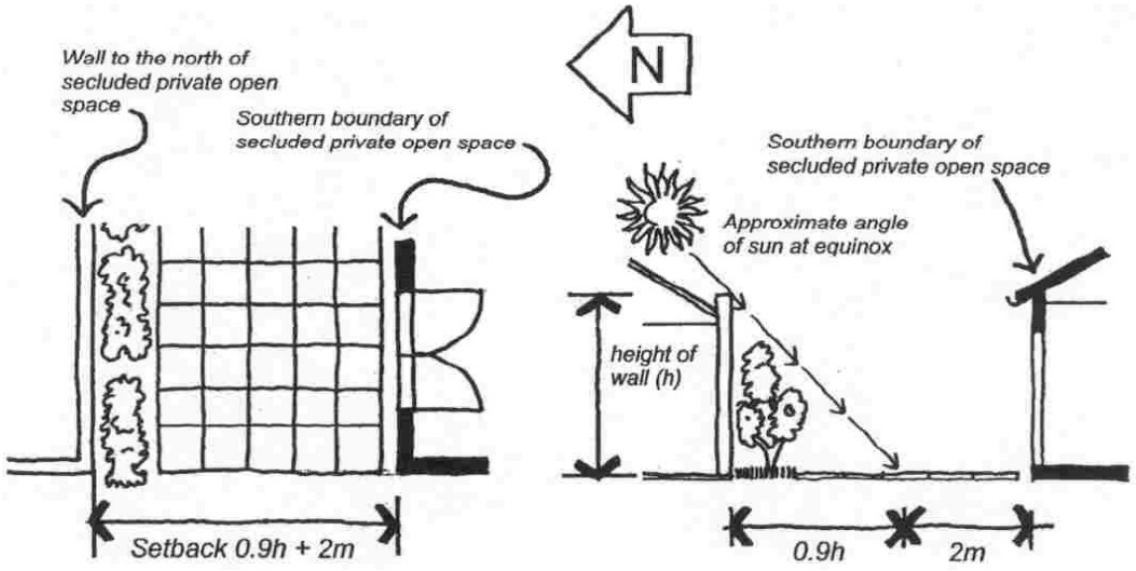
08/09/2025
VC282

To allow solar access into the secluded private open space of new dwellings.

### Standard A3-3

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 A3-3 Solar access to open space**




This standard does not apply to a small second dwelling.

#### 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.

### 54.03-4 Daylight to new windows objectives

08/09/2025
VC282

To allow adequate daylight into new habitable room windows.

#### Standard A3-4

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.

#### 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.

### 54.03-5 Safety and accessibility for small second dwellings objective

08/09/2025
VC282

To ensure access to a small second dwelling is safe, convenient and meets the needs of residents.

#### Standard A3-5

A small second dwelling is 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 minimum width of the path is 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 the safety and accessibility of the small second dwelling.

## 54.04 EXTERNAL AMENITY

08/09/2025
VC282

### 54.04-1 Daylight to existing windows objective

08/09/2025
VC282

To allow adequate daylight into existing habitable room windows.

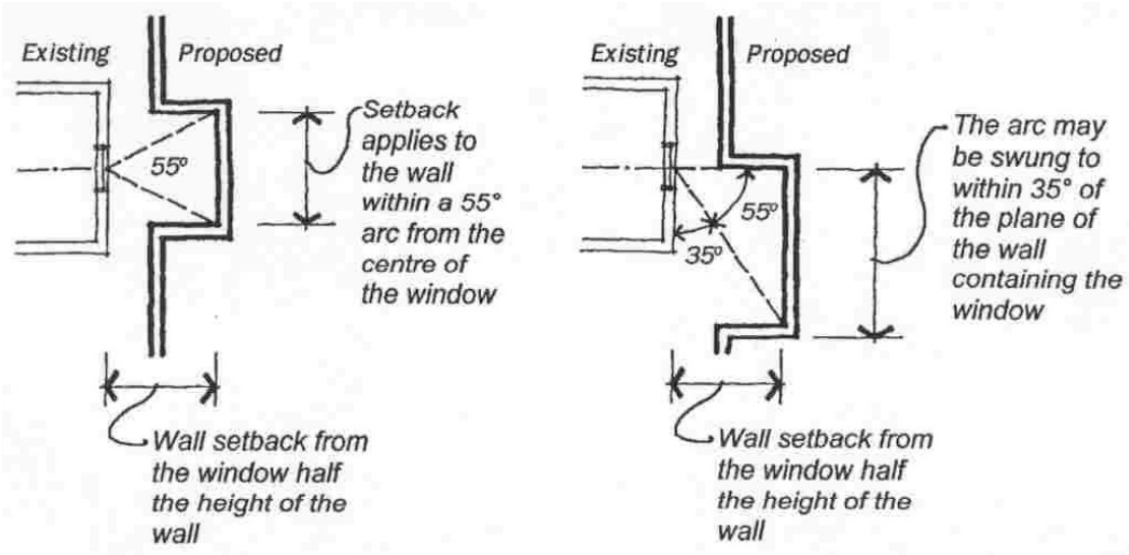
#### Standard A4-1

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 A4-1 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.

### 54.04-2 Existing north-facing windows objective

08/09/2025
VC282

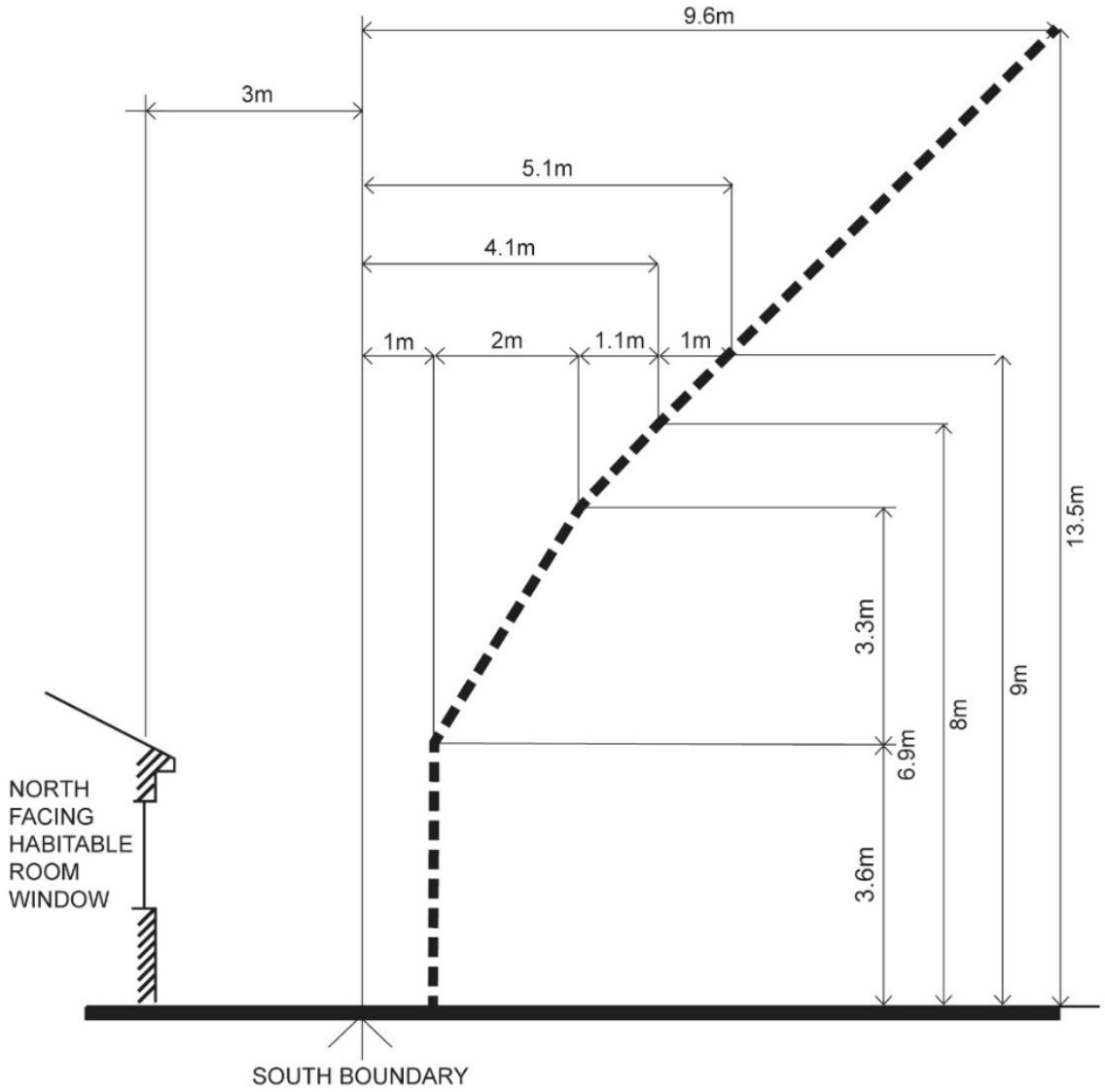
To allow adequate solar access to existing north-facing habitable room windows.

#### Standard A4-2

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 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 A4-2 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.

## 54.04-3 Overshadowing secluded open space objective

08/09/2025
VC282

To ensure buildings do not significantly overshadow existing secluded private open space.

**Standard A4-3**

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.

## 54.04-4 Overlooking objective

08/09/2025
VC282

To limit views into existing secluded private open space and habitable room windows.

#### Standard A4-4

In Clause 54.04-4 a habitable room does not include a bedroom.

A habitable room window, balcony, 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.

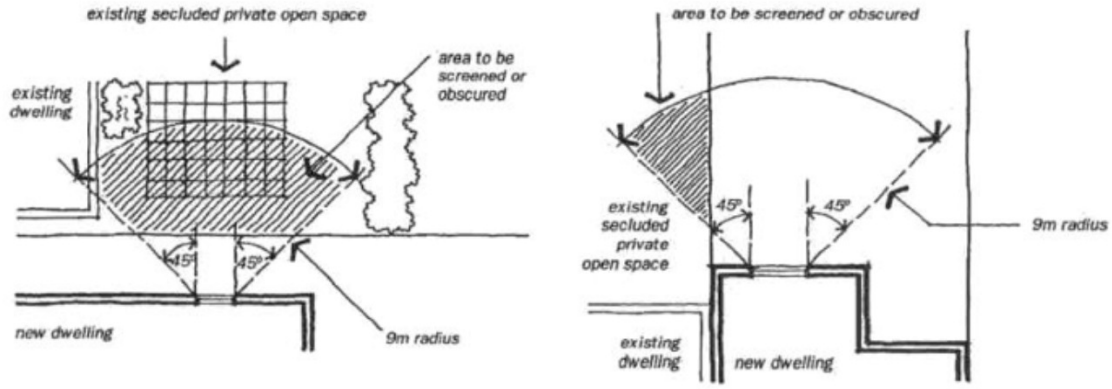
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 A4-4 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 or small second dwelling.

# 54.05 SUSTAINABILITY

08/09/2025
VC282

## 54.05-1 Permeability objectives

08/09/2025
VC282

To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.

To facilitate on-site stormwater infiltration.

To contribute to urban cooling.

### Standard A5-1

The site area covered by the pervious surfaces is at least 20 percent 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 practicality of achieving the minimum site coverage of pervious surfaces.

## 54.05-2 Overshadowing domestic solar energy systems objective

08/09/2025
VC282

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 A5-2

Any part of a new building that will reduce the sunlight at any time between 9 am 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 54.05-2 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.

## 54.05-3 Rooftop solar energy generation area objective

08/09/2025
VC282

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

### Standard A5-3

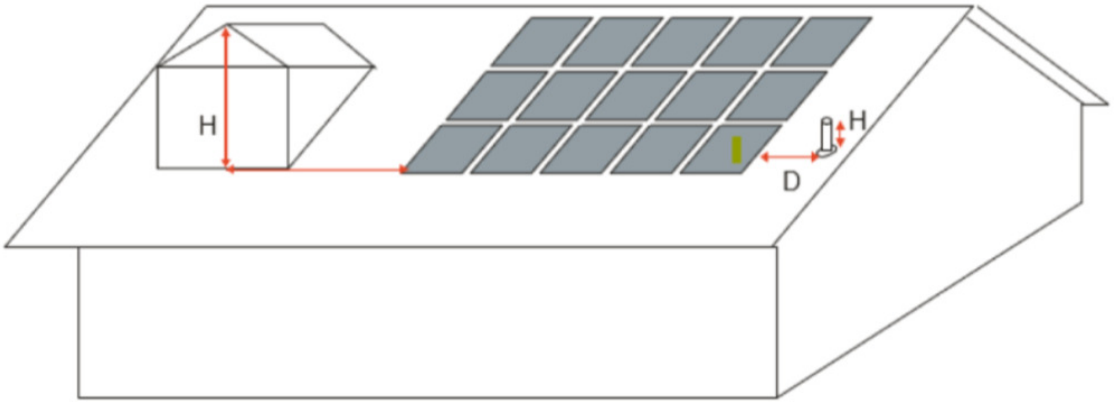
In Clause 54.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

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 A5-3.
- 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 A5-3 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 A5-3 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 |

This standard does not apply to a small second dwelling.

### 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.

## 54.05-4 Solar protection to new north-facing windows objective

08/09/2025
VC282

To encourage external shading of north facing windows to minimise summer heat gain.

### Standard A5-4

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.

This standard does not apply to a small second dwelling.

### 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 TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

08/09/2025
VC282

## 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 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 APPLICATION REQUIREMENTS

31/03/2025
VC267

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 Site description

31/03/2025
VC267

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 Design response

31/03/2025
VC267

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.

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.

# 55.02 NEIGHBOURHOOD CHARACTER

31/03/2025
VC267

## 55.02-1 Street setback objectives

31/03/2025
VC267

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.<br>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.<br>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 Building height objective

31/03/2025
VC267

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 Side and rear setbacks objective

02/04/2025
VC276

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**

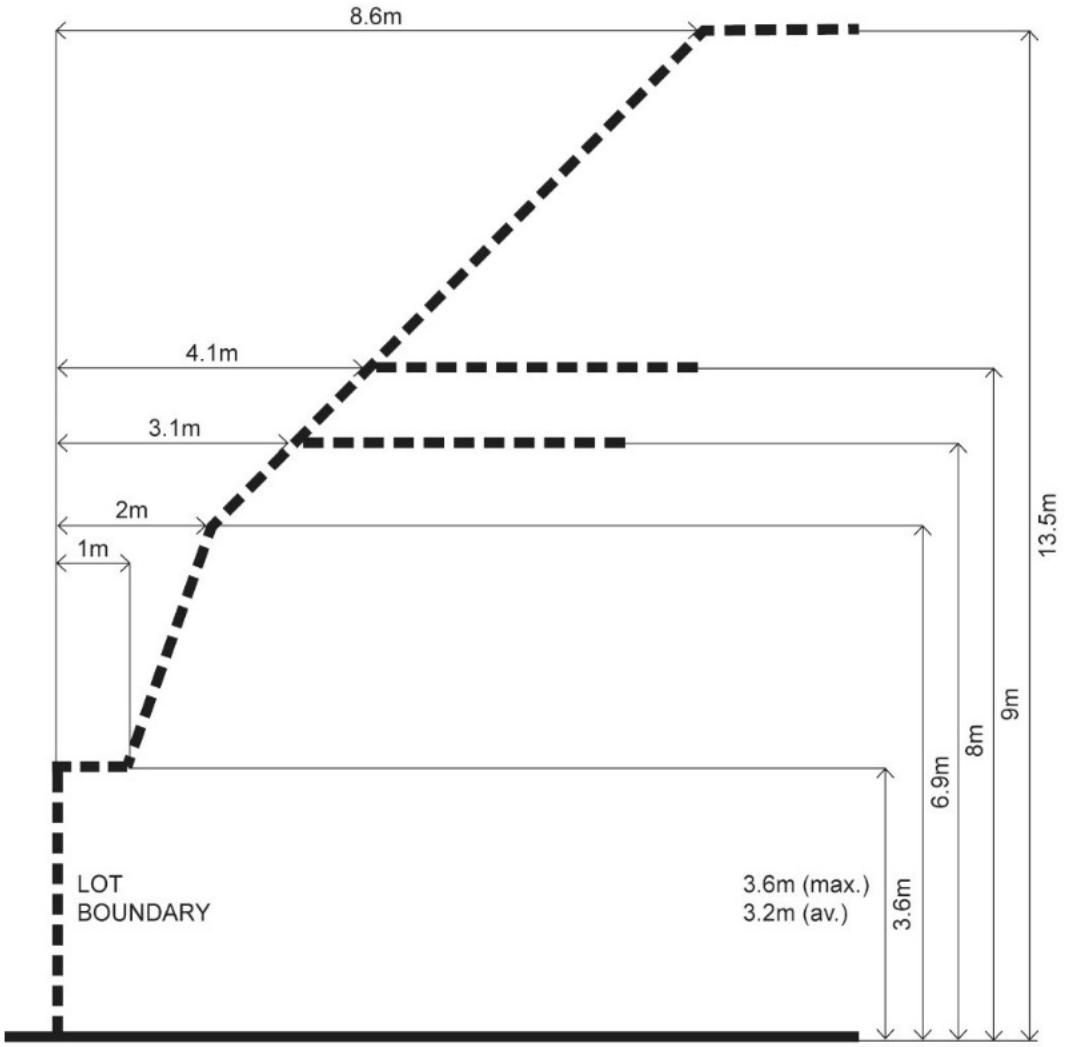
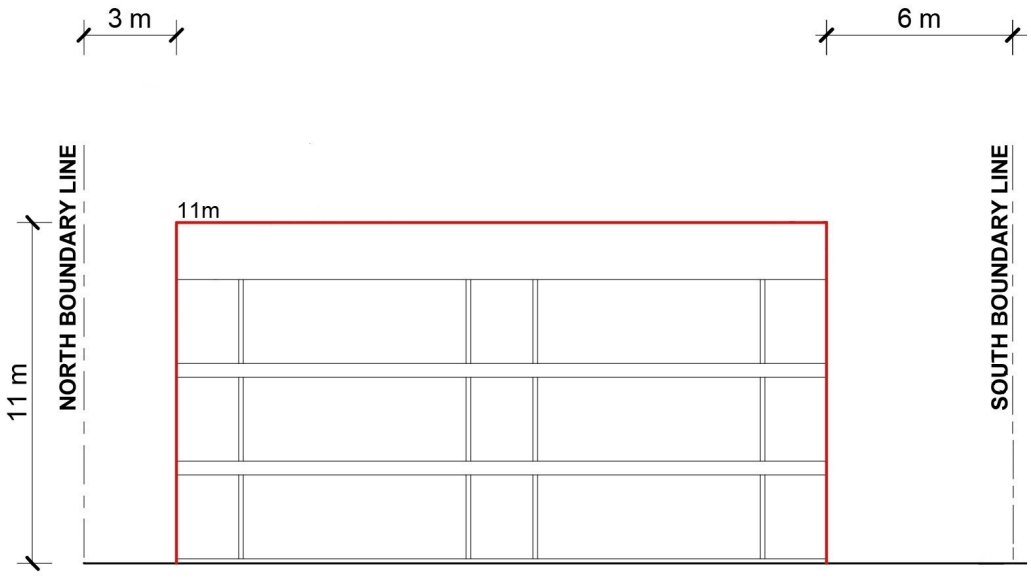



**Diagram B2-3.2 Side and rear setbacks**



### 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 Walls on boundaries objectives

31/03/2025
VC267

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.

## 55.02-5 Site coverage objective

31/03/2025
VC267

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<br><br>Township Zone | 60 per cent |
| General Residential Zone | 65 per cent |
| Residential Growth Zone<br>Mixed Use Zone<br>Housing Choice and Transport Zone | 70 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.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

## 55.02-6 Access objective

31/03/2025
VC267

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 Tree canopy objectives

31/03/2025
VC267

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<br>Area of deep soil | Tree in planter<br>Volume of planter | Minimum depth of planter soil |
|---|---|---|---|---|---|---|
| A | 4 metres | 6 metres | 12.6 sqm | 12 square metres<br>(min. plan dimension 2.5 metres) | 12 cubic metres<br>(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<br>Area of deep soil | Tree in planter<br>Volume of planter | Minimum depth of planter soil |
|---|---|---|---|---|---|---|
| B | 8 metres | 8 metres | 50.3 sqm | 49 square metres<br>(min. plan dimension 4.5 metres) | 28 cubic metres<br>(min. plan dimension 4.5 metres) | 1 metre |
| C | 12 metres | 12 metres | 113.1 sqm | 121 square metres<br>(min. plan dimension 6.5 metres) | 64 cubic metres<br>(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 Front fences objective

31/03/2025
VC267

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 LIVEABILITY

31/03/2025
VC267

### 55.03-1 Dwelling diversity objective

31/03/2025
VC267

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 Parking location objective

31/03/2025
VC267

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 Street integration objective

31/03/2025
VC267

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 Entry objectives

31/03/2025
VC267

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 Private open space objectives

31/03/2025
VC267

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 Solar access to open space objective

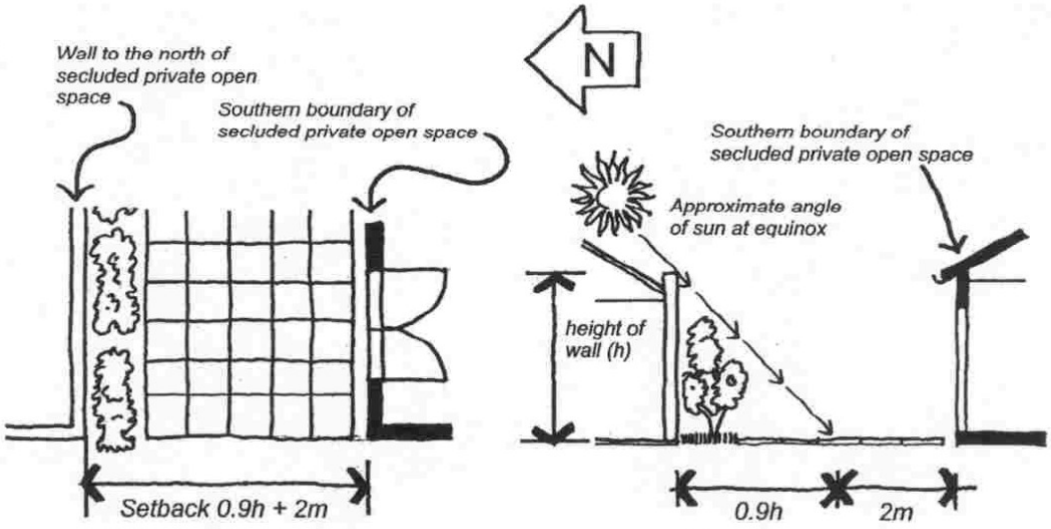
31/03/2025
VC267

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 Functional layout objective

02/04/2025
VC276

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 Room depth objective

31/03/2025
VC267

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 Daylight to new windows objective

31/03/2025
VC267

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 Natural ventilation objectives

31/03/2025
VC267

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 Storage objective

31/03/2025
VC267

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 Accessibility for apartment developments objective

31/03/2025
VC267

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:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. | Either:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards and has readily removable hinges. |
| Circulation area | A clear circulation area that is:<br>▪ A minimum area of 1.2 metres by 1.2 metres.<br>▪ Located in front of the shower and the toilet.<br>▪ Clear of the toilet, basin and the door swing.<br>The circulation area for the toilet and shower can overlap. | A clear circulation area that is:<br>▪ A minimum width of 1 metre.<br>▪ The full length of the bathroom and a minimum length of 2.7 metres.<br>▪ Clear of the toilet and basin.<br>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 EXTERNAL AMENITY

31/03/2025
VC267

### 55.04-1 Daylight to existing windows objective

31/03/2025
VC267

To allow adequate daylight into existing habitable room windows.

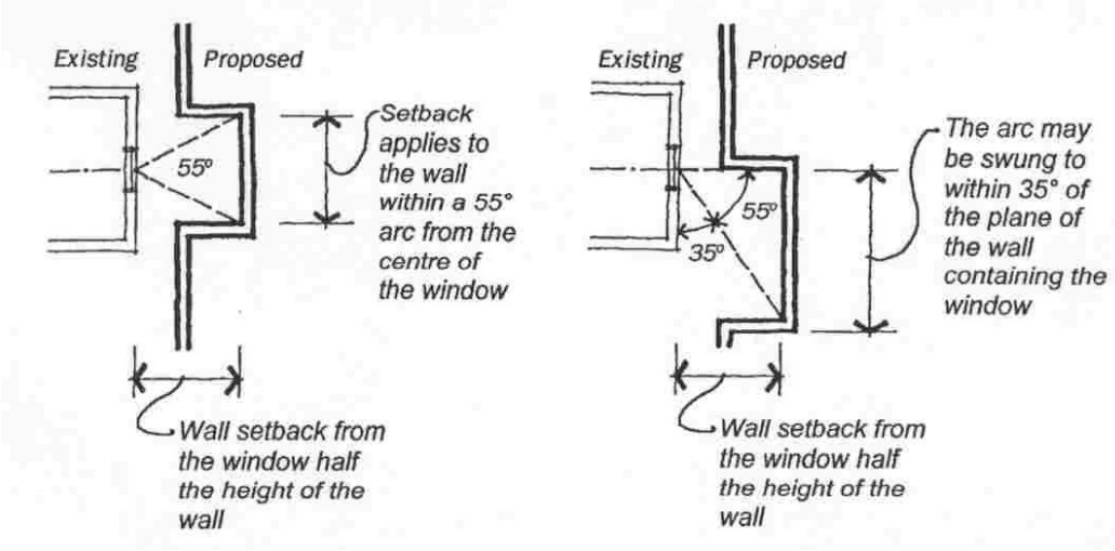
#### Standard B4-1

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 Existing north-facing windows objective

02/04/2025
VC276

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**

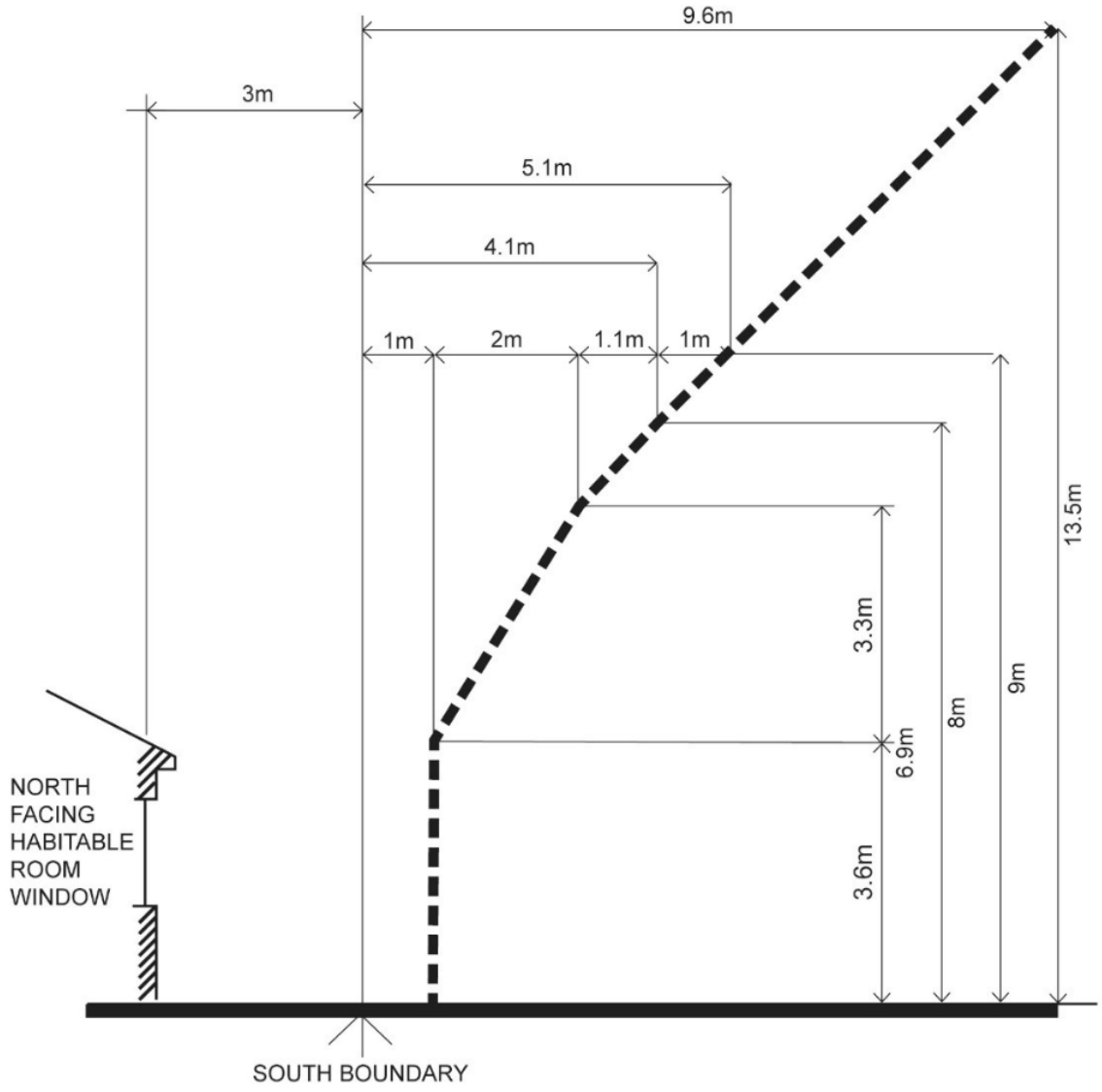
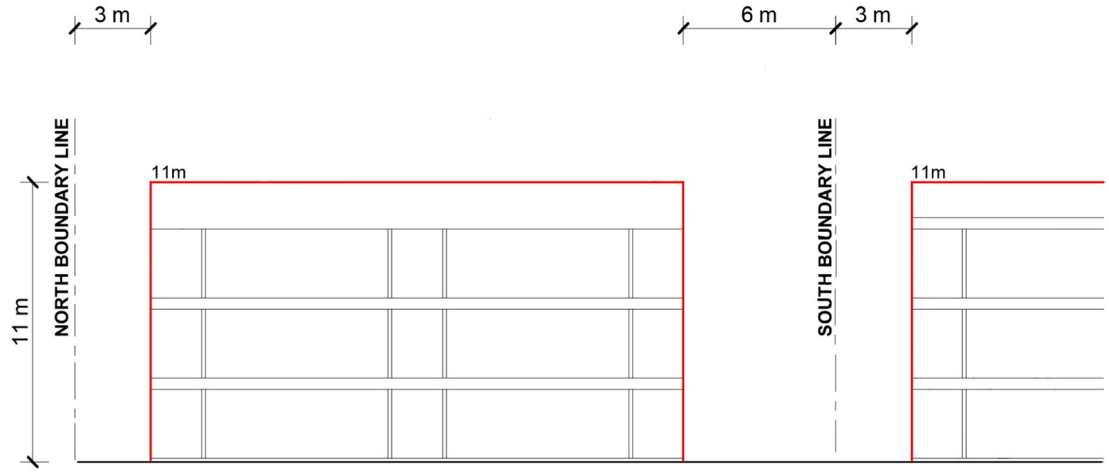


**Diagram B4-2.2 North-facing windows**




### 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 Overshadowing secluded open space objective

02/04/2025
VC276

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 Overlooking objective

31/03/2025
VC267

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.

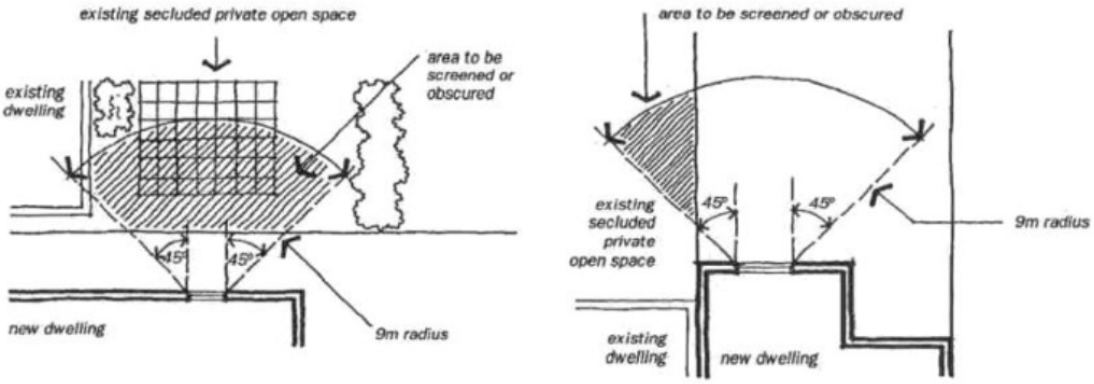
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 Internal views objective

31/03/2025
VC267

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.

# 55.05 SUSTAINABILITY

31/03/2025
VC267

## 55.05-1 Permeability and stormwater management objective

31/03/2025
VC267

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.

## 55.05-2 Overshadowing domestic solar energy systems objective

31/03/2025
VC267

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 Rooftop solar energy generation area objective

31/03/2025
VC267

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

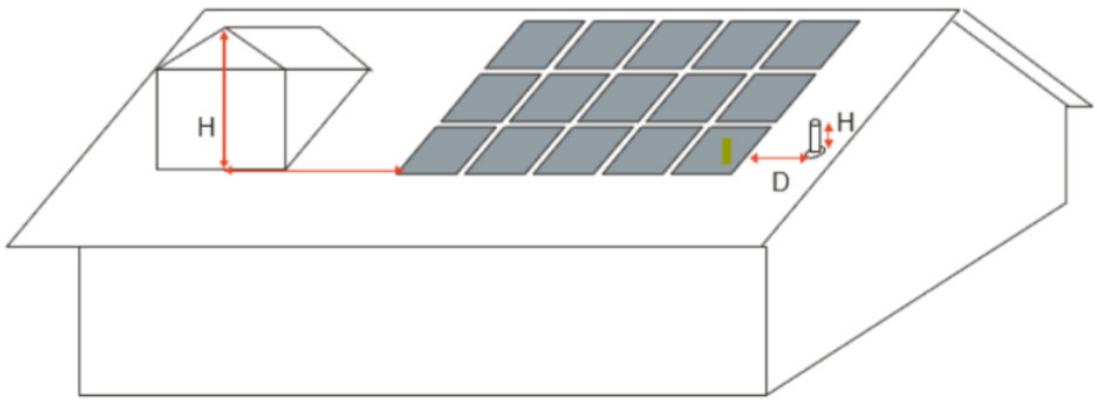
### Standard B5-3

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 Solar protection to new north-facing windows objective

31/03/2025
VC267

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 Waste and recycling objectives

31/03/2025
VC267

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 Noise impacts objective

31/03/2025
VC267

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 Energy efficiency for apartment developments objectives

31/03/2025
VC267

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<br>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<br>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.

# 56 RESIDENTIAL SUBDIVISION

25/02/2025
VC257

## 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.

# 56.01 SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE

16/01/2018
VC142

## 56.01-1 Subdivision site and context description

16/01/2018
VC142

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.
- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.
- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.

- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

#### Satisfactory subdivision site and context description

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

## 56.01-2 Subdivision design response

09/10/2006
VC42

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.

## 56.02 POLICY IMPLEMENTATION

09/10/2006
VC42

### 56.02-1 Strategic implementation objective

09/10/2006
VC42

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

#### Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.

# 56.03 LIVEABLE AND SUSTAINABLE COMMUNITIES

19/09/2017
VC132

## 56.03-1 Compact and walkable neighbourhoods objectives

09/10/2006
VC42

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

### Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network
- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
- Shows the layout of the subdivision in relation to the surrounding area.
- Is designed to be accessible for people with disabilities.

## 56.03-2 Activity centre objective

09/10/2006
VC42

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

### Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.

## 56.03-3 Planning for community facilities objective

20/03/2023
VC229

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

### Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

## 56.03-4 Built environment objective

09/10/2006
VC42

To create urban places with identity and character.

### Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

## 56.03-5 Neighbourhood character objective

09/10/2006
VC42

To design subdivisions that respond to neighbourhood character.

### Standard C6

Subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

## 56.04 LOT DESIGN

09/10/2006
VC42

### 56.04-1 Lot diversity and distribution objectives

09/10/2006
VC42

To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.

To provide higher housing densities within walking distance of activity centres.

To achieve increased housing densities in designated growth areas.

To provide a range of lot sizes to suit a variety of dwelling and household types.

#### Standard C7

A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.

Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.

A range and mix of lot sizes should be provided including lots suitable for the development of:

- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.

Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

### 56.04-2 Lot area and building envelopes objective

08/09/2025
VC282

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 A2-3 and A2-4 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A4-1 to A4-4 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

## 56.04-3 Solar orientation of lots objective

09/10/2006
VC42

To provide good solar orientation of lots and solar access for future dwellings.

### Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

## 56.04-4 Street orientation objective

09/10/2006
VC42

To provide a lot layout that contributes to community social interaction, personal safety and property security.

### Standard C10

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

## 56.04-5 Common area objectives

09/10/2006
VC42

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

### Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.

## 56.05 URBAN LANDSCAPE

01/10/2009
VC58

### 56.05-1 Integrated urban landscape objectives

09/10/2006
VC42

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

#### Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

### 56.05-2 Public open space provision objectives

01/10/2009
VC58

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.

To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
- Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
- Additional small local parks or public squares in activity centres and higher density residential areas.
- Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
- Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
- Sufficient to incorporate two football/cricket ovals
- Appropriate for the intended use in terms of quality and orientation
- Located on flat land (which can be cost effectively graded)
- Located with access to, or making provision for, a recycled or sustainable water supply
- Adjoin schools and other community facilities where practical
- Designed to achieve sharing of space between sports.
- Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.

# 56.06 ACCESS AND MOBILITY MANAGEMENT

18/06/2010
VC62

## 56.06-1 Integrated mobility objectives

18/06/2010
VC62

To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

### Standard C14

An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

## 56.06-2 Walking and cycling network objectives

09/10/2006
VC42

To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

### Standard C15

The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

## 56.06-3 Public transport network objectives

09/10/2006
VC42

To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.

To encourage maximum use of public transport.

**Standard C16**

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

## 56.06-4 Neighbourhood street network objective

14/05/2021
VC198

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

**Standard C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Head, Transport for Victoria's arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.

- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area's character and identity.
- Take account of any identified significant features.

## 56.06-5 Walking and cycling network detail objectives

09/10/2006
VC42

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

### Standard C18

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.

- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

## 56.06-6 Public transport network detail objectives

09/10/2006
VC42

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

### Standard C19

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

## 56.06-7 Neighbourhood street network detail objective

15/09/2008
VC49

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

### Standard C20

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.

- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.
- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.

## 56.06-8 Lot access objective

18/06/2010
VC62

To provide for safe vehicle access between roads and lots.

### Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

### Table C1 Design of roads and neighbourhood streets

#### Access Lane

A side or rear lane principally providing access to parking on lots with another street frontage.

| | |
|---|---|
| **Traffic volume**[1] | 300vpd |
| **Target speed**[2] | 10kph |
| **Carriageway width**[3] **& parking provision within street reservation** | 5.5m[6] wide with no parking spaces to be provided.<br>Appropriately signed. |
| **Verge width**[4] | No verge required. |
| **Kerbing**[5] | |
| **Footpath provision** | None<br>Carriageway designed as a shared zone and appropriately signed. |
| **Cycle path provision** | None |

#### Access Place

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

| | |
|---|---|
| **Traffic volume**[1] | 300vpd to1000vpd |
| **Target speed**[2] | 15kph |
| **Carriageway width**[3] **& parking provision within street reservation** | 5.5m wide with 1 hard standing verge parking space per 2 lots.<br>or<br>5.5m wide with parking on carriageway - one side.<br>Appropriately signed. |
| **Verge width**[4] | 7.5m minimum total width.<br>For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other. |

| | |
|---|---|
| **Kerbing**[5] | Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |
| **Footpath provision** | Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed.<br>or<br>1.5m wide footpath offset a minimum distance of 1m from the kerb. |
| **Cycle path provision** | None |

### Access Street - Level 1

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

| | |
|---|---|
| **Traffic volume**[1] | 1000vpd to 2000vpd |
| **Target speed**[2] | 30kph |
| **Carriageway width**[3] **& parking provision within street reservation** | 5.5m wide with1 hard standing verge parking space per 2 lots. |
| **Verge width**[4] | 4m minimum each side |
| **Kerbing**[5] | Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |
| **Footpath provision** | 1.5m wide footpaths on both sides.<br>Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.<br>Be offset a minimum distance of 1m from the kerb. |
| **Cycle path provision** | Carriageway designed as a shared zone and appropriately signed. |

### Access Street - Level 2

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

| | |
|---|---|
| **Traffic volume**[1] | 2000vpd to 3000vpd |
| **Target speed**[2] | 40kph |
| **Carriageway width**[3] **& parking provision within street reservation** | 7m-7.5m wide with parking on both sides of carriageway |
| **Verge width**[4] | 4.5m minimum each side |
| **Kerbing**[5] | Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |
| **Footpath provision** | 1.5m wide footpaths on both sides.<br>Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. |

| | |
|---|---|
| | Be offset a minimum distance of 1m from the kerb. |
| **Cycle path provision** | Carriageway designed as a shared zone and appropriately signed. |

### Connector Street - Level 1

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

| | |
|---|---|
| **Traffic volume**[1] | 3000 vpd |
| **Target speed**[2] | 50 kph[7] reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points. |
| **Carriageway width**[3]**, cycle lane provision, parking provision and bus stops within street reservation** | ▪ 3.5m minimum lane width in each direction of travel.<br>▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.<br>▪ For on-street cycling, increase the minimum clear carriageway in each direction by:<br>– 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or<br>– 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<br>– 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.<br>▪ 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.<br>▪ Bus stops at the kerbside, not indented within the verge. |
| **Verge width**[4] | 4.5m minimum each side. |
| **Kerbing**[5] | Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |
| **Footpath provision** | ▪ 1.5m wide footpaths on both sides.<br>▪ Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.<br>▪ Footpaths offset a minimum distance of 1m from the kerb. |

### Connector Street - Level 2

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

| | |
|---|---|
| **Traffic volume**[1] | 3,000 vpd to 7,000 vpd |
| **Target speed**[2] | 60 kph[8] or 50km/h reduced to 40kph at schools. |

| | |
|---|---|
| **Carriageway width[3], cycle lane provision, parking provision and bus stops within street reservation** | ▪ 3.5m minimum lane width in each direction of travel.<br>▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.<br>▪ 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.<br>▪ 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.<br>▪ For on-street cycling, increase the minimum clear carriageway in each direction by:<br>– 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or<br>– 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway<br>– 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<br>– 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.<br>▪ 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.<br>▪ Bus stops located at the kerbside, not indented within the verge. |
| **Verge width[4]** | ▪ 6m minimum each side (plus central median). |
| **Kerbing[5]** | ▪ Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |
| **Footpath and cycle path provision** | ▪ 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or<br>▪ 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway.<br>▪ Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.<br>▪ Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb. |

## Arterial Road

| | |
|---|---|
| **Traffic volume[1]** | Greater than 7000vpd |
| **Target speed[2]** | Arterial road design as required by the relevant roads authority. |
| **Carriageway width[3] & parking provision within street reservation** | Arterial road design as required by the relevant roads authority. |

| | |
|---|---|
| **Verge width**[4] | Arterial road design as required by the relevant roads authority. |
| **Kerbing**[5] | Arterial road design as required by the relevant roads authority. |
| **Footpath & cycle path provision** | 3m wide shared path on each side or as otherwise required by the relevant roads authority. |

### Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.
2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.
3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.
4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.
5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.
6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.
7. 50kph is the default urban speed limit in Victoria.
8. Target speed must not exceed the legal speed limit.

# 56.07 INTEGRATED WATER MANAGEMENT

29/10/2015
VC101

## 56.07-1 Drinking water supply objectives

09/10/2006
VC42

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

### Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

## 56.07-2 Reused and recycled water objective

20/03/2023
VC229

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

### Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

## 56.07-3 Waste water management objective

01/07/2021
VC203

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

### Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with a domestic waste water management plan adopted by the relevant council.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

## 56.07-4 Stormwater management objectives

26/10/2018
VC154

To minimise damage to properties and inconvenience to residents from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

**Standard C25**

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35\ m^2/s$ (where, $d_a$ = average depth in metres and $V_{ave}$ = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

## 56.08 SITE MANAGEMENT

09/10/2006
VC42

### 56.08-1 Site management objectives

09/10/2006
VC42

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.

To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

#### Standard C26

A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.

# 56.09 UTILITIES

22/08/2014
VC118

## 56.09-1 Shared trenching objectives

22/08/2014
VC118

To maximise the opportunities for shared trenching.

To minimise constraints on landscaping within street reserves.

### Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

## 56.09-2 Electricity and telecommunications objectives

01/01/2024
VC250

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.

## 56.09-3 Fire hydrants objective

15/09/2008
VC49

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

### Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

## 56.09-4 Public lighting objective

09/10/2006
VC42

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.

To provide pedestrians with a sense of personal safety at night.

To contribute to reducing greenhouse gas emissions and to saving energy.

### Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.

# 57 TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS OF FOUR STOREYS

08/09/2025
VC282

## 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.

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 APPLICATION REQUIREMENTS

31/03/2025
VC267

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.

### 57.01-1 Site description

31/03/2025
VC267

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 Design response

31/03/2025
VC267

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.

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.

## 57.02 NEIGHBOURHOOD CHARACTER

31/03/2025
VC267

### 57.02-1 Street setback objective

08/09/2025
VC282

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.<br>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.<br>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 Building height objective

31/03/2025
VC267

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 Side and rear setbacks objective

02/04/2025
VC276

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.

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**

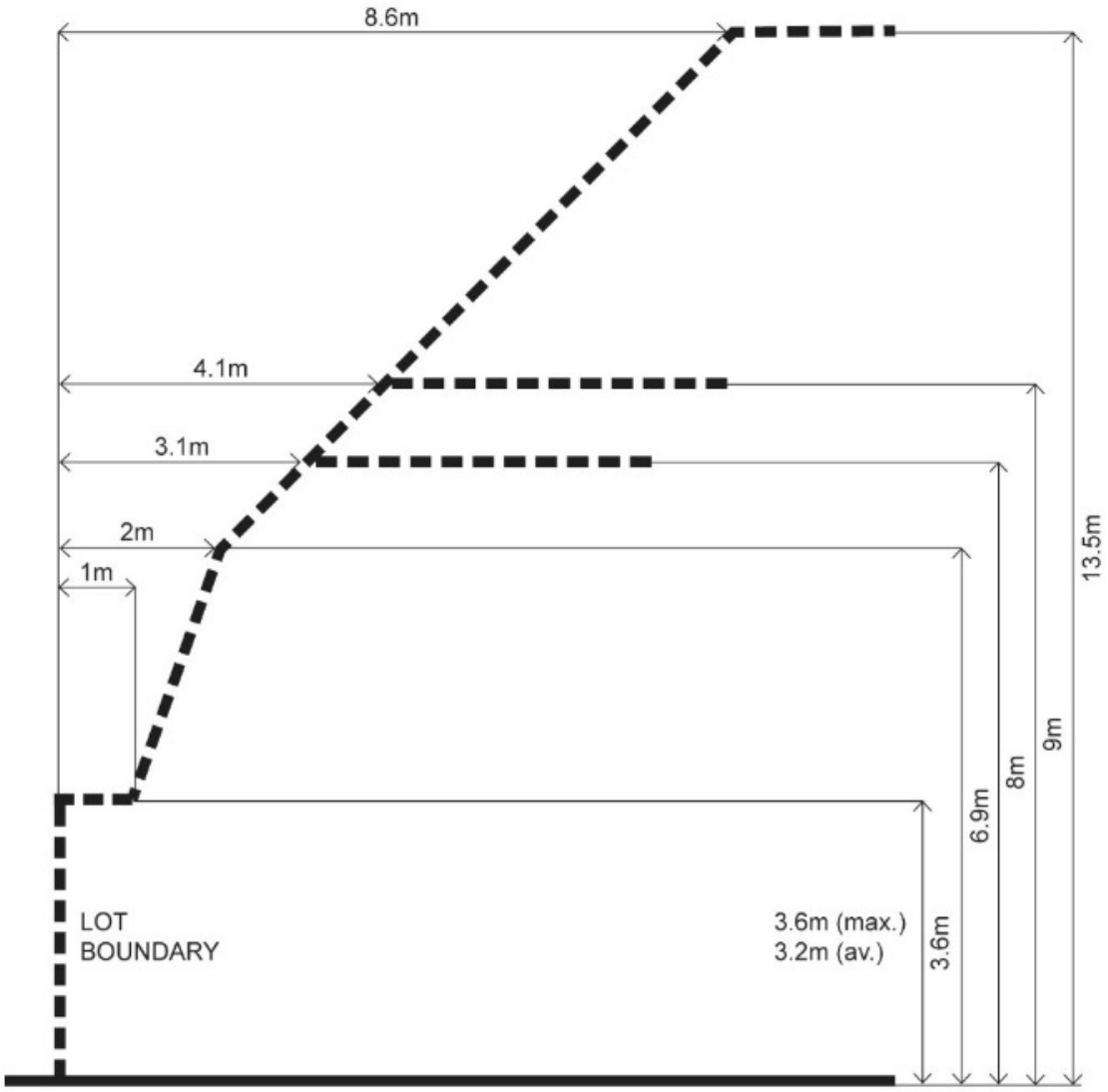
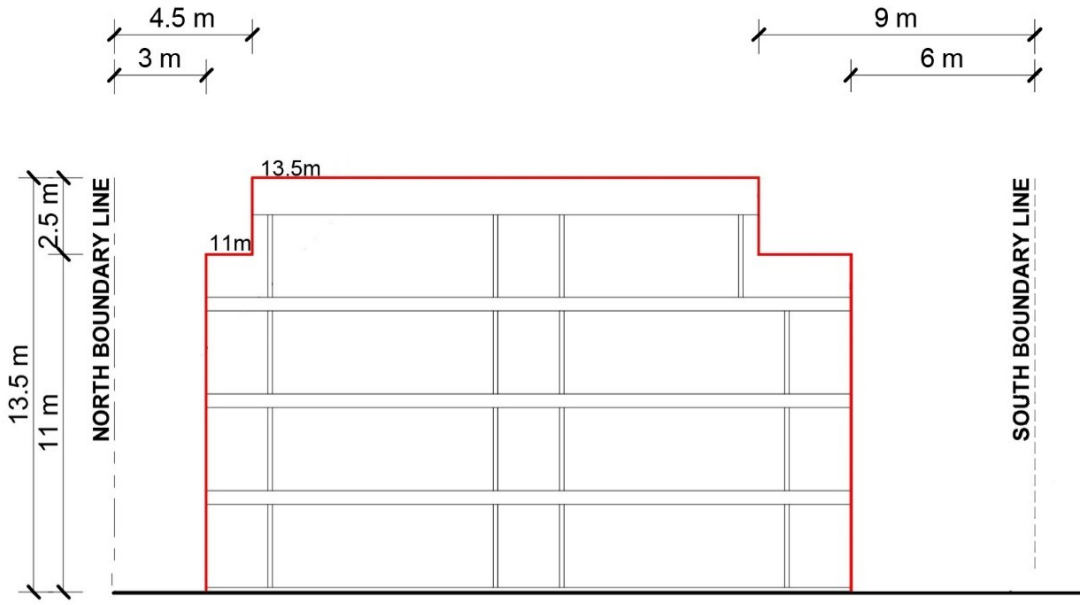


**Diagram E2-3.2 Side and rear setbacks**




**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 Walls on boundaries objective

31/03/2025
VC267

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 Site coverage objective

08/09/2025
VC282

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<br>Township Zone | 60 per cent |
| General Residential Zone | 65 per cent |
| Residential Growth Zone<br>Mixed Use Zone<br>Housing Choice and Transport Zone | 70 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.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

## 57.02-6 Access objective

31/03/2025
VC267

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 Tree canopy objectives

08/09/2025
VC282

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<br>Area of deep soil | Tree in planter<br>Volume of planter | Minimum depth of planter soil |
|---|---|---|---|---|---|---|
| **A** | 4 metres | 6 metres | 12.6 sqm | 12 square metres<br>(min. plan dimension 2.5 metres) | 12 cubic metres<br>(min. plan dimension 2.5 metres) | 0.8 metre |
| **B** | 8 metres | 8 metres | 50.3 sqm | 49 square metres<br>(min. plan dimension 4.5 metres) | 28 cubic metres<br>(min. plan dimension 4.5 metres) | 1 metre |
| **C** | 12 metres | 12 metres | 113.1 sqm | 121 square metres<br>(min. plan dimension 6.5 metres) | 64 cubic metres<br>(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.

## 57.02-8 Front fences objective

08/09/2025
VC282

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 LIVEABILITY

31/03/2025
VC267

## 57.03-1 Dwelling diversity objective

31/03/2025
VC267

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 Parking location objective

08/09/2025
VC282

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 Street integration objective

31/03/2025
VC267

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 Entry objective

31/03/2025
VC267

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 Private open space objective

08/09/2025
VC282

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 |
| | 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.

## 57.03-6 Solar access to open space objective

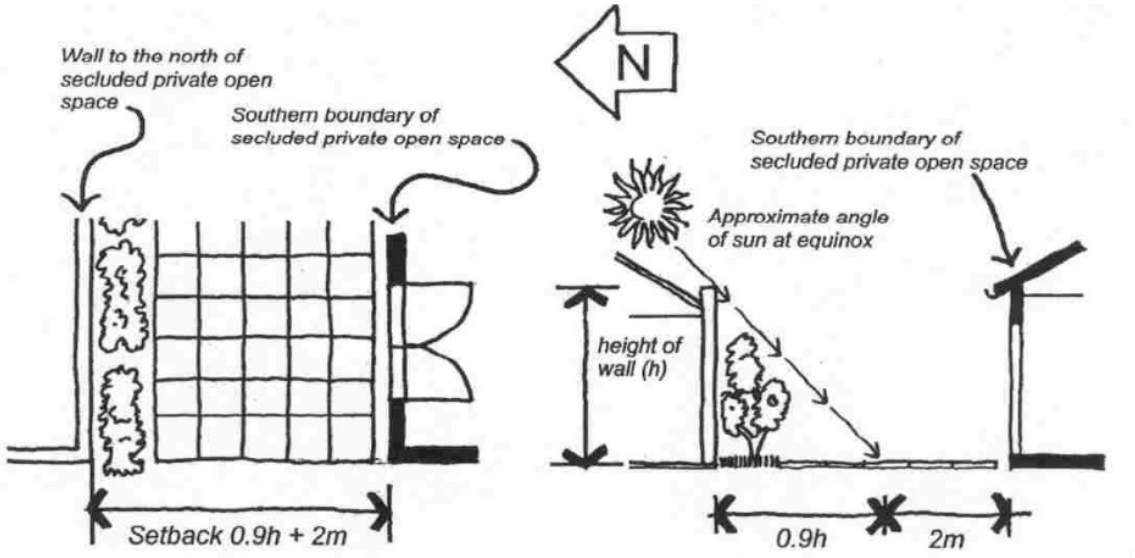
31/03/2025
VC267

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 Functional layout objective

02/04/2025
VC276

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 Room depth objective

31/03/2025
VC267

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 Daylight to new windows objective

31/03/2025
VC267

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.

## 57.03-10 Natural ventilation objectives

31/03/2025
VC267

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.

## 57.03-11 Storage objective

31/03/2025
VC267

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 Accessibility for apartment developments objective

31/03/2025
VC267

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:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. | Either:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards and has readily removable hinges. |
| Circulation area | A clear circulation area that is:<br>▪ A minimum area of 1.2 metres by 1.2 metres. | A clear circulation area that is:<br>▪ A minimum width of 1 metre. |

| | Design option A | Design option B |
|---|---|---|
| | ▪ Located in front of the shower and the toilet.<br>▪ Clear of the toilet, basin and the door swing.<br>The circulation area for the toilet and shower can overlap. | ▪ The full length of the bathroom and a minimum length of 2.7 metres.<br>▪ Clear of the toilet and basin.<br>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 EXTERNAL AMENITY

31/03/2025
VC267

### 57.04-1 Daylight to existing windows objective

31/03/2025
VC267

To allow adequate daylight into existing habitable room windows.

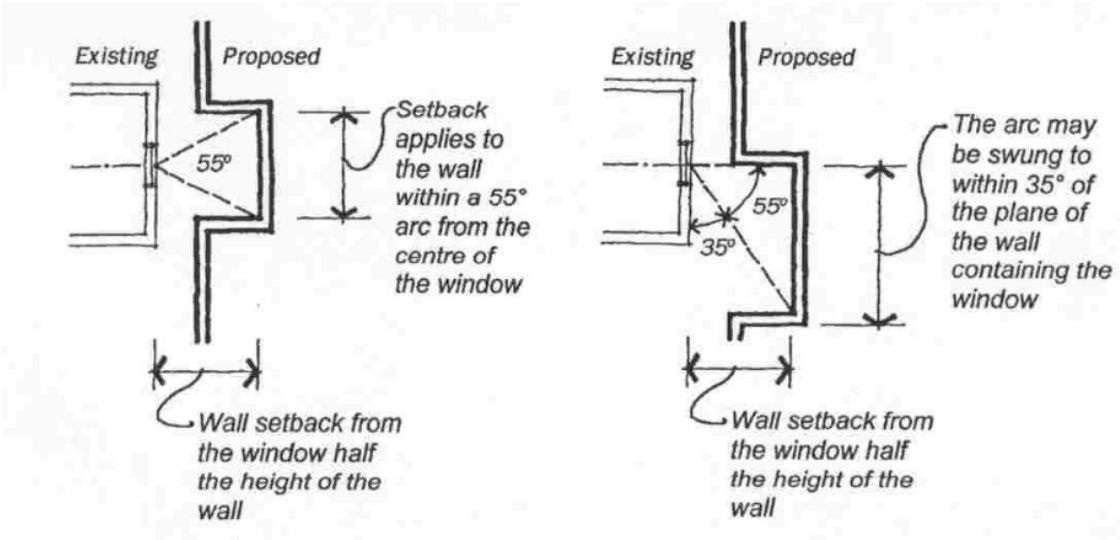
#### Standard E4-1

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 Existing north-facing windows objective

02/04/2025
VC276

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:

- 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**

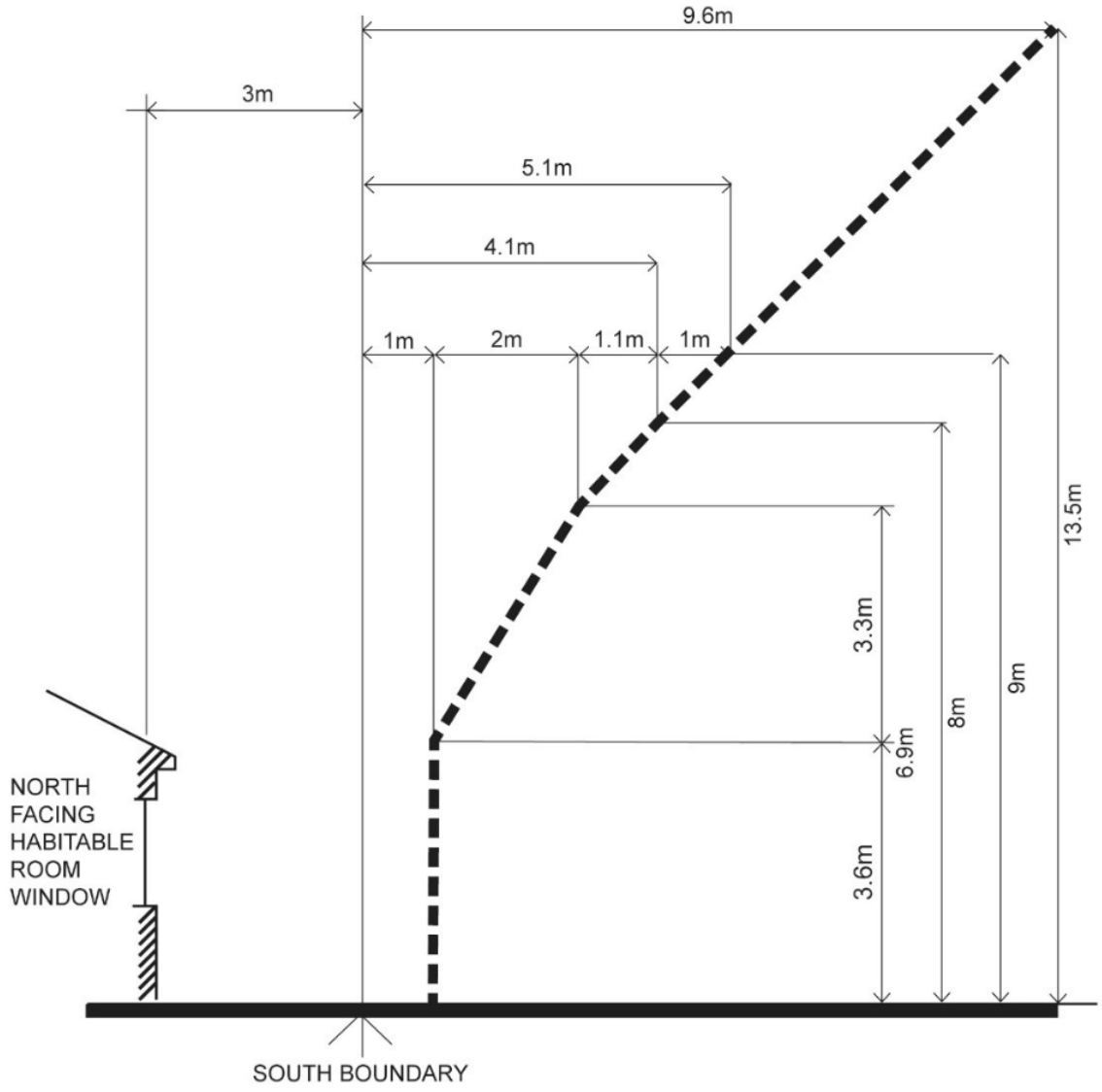
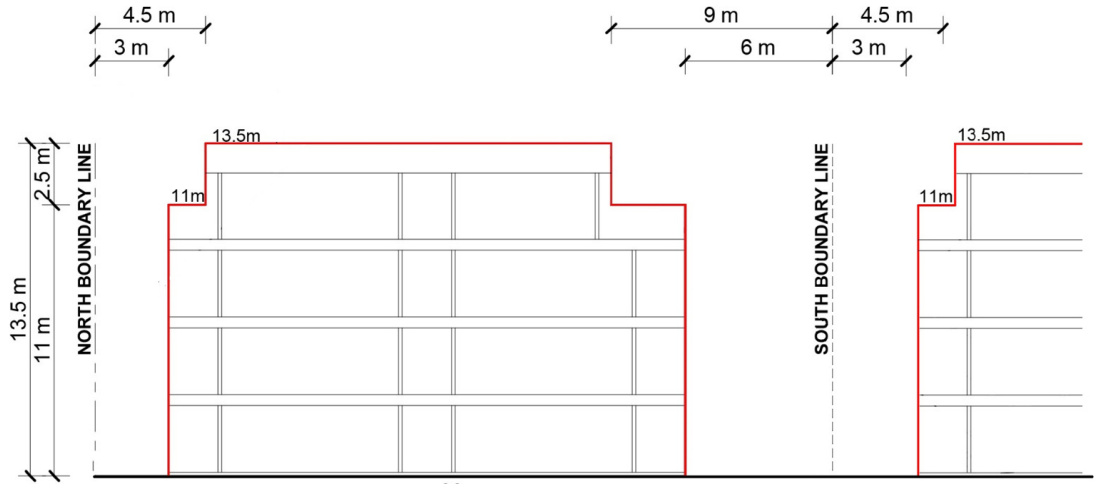


**Diagram E4-2.2 North-facing windows**




### 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 Overshadowing secluded open space objective

02/04/2025
VC276

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 Overlooking objective

08/09/2025
VC282

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 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 should:

- Be 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 fixed, obscure glazing in any part of the window below 1.7 metre 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; or
- Have fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

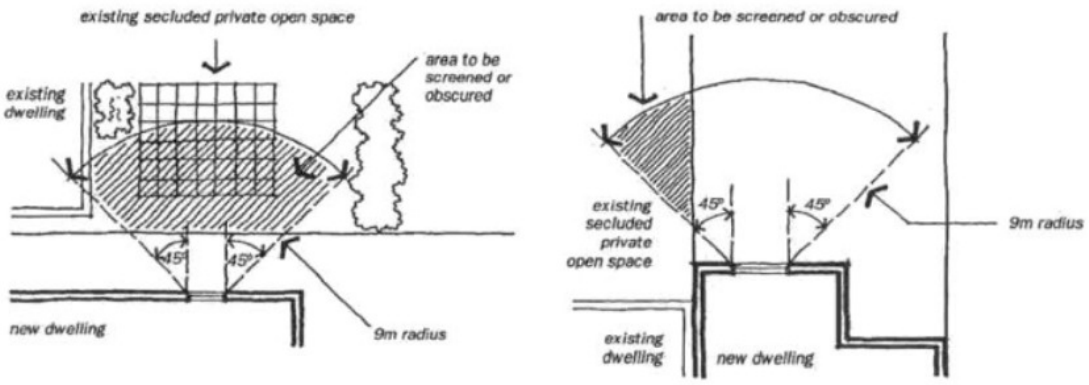
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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 Internal views objective

31/03/2025
VC267

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.

# 57.05 SUSTAINABILITY

31/03/2025
VC267

## 57.05-1 Permeability and stormwater management objectives

08/09/2025
VC282

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.

## 57.05-2 Overshadowing domestic solar energy systems objective

31/03/2025
VC267

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 Rooftop solar energy generation area objective

08/09/2025
VC282

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

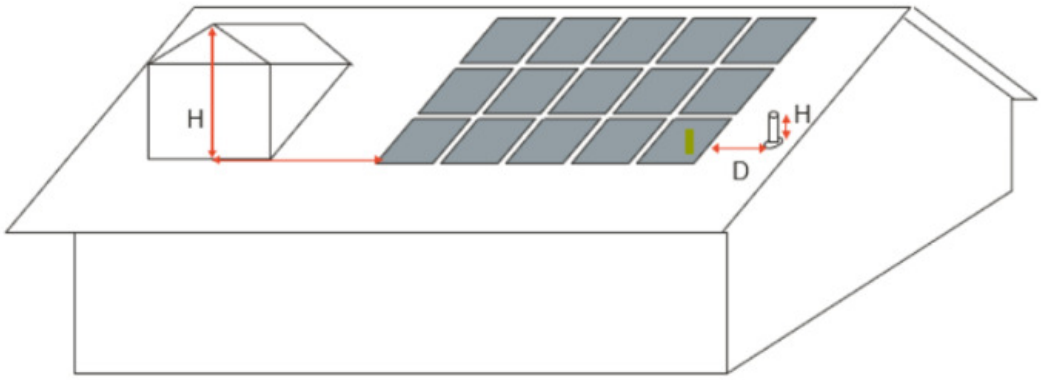
### Standard E5-3

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.

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 |

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 Solar access protection to new north-facing windows objectives

31/03/2025
VC267

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 Waste and recycling objectives

31/03/2025
VC267

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 |
| 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 Noise impacts objectives

31/03/2025
VC267

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 Energy efficiency for apartment developments objectives

08/09/2025
VC282

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.

**Table E5-7 Cooling load**

| NatHERS climate zone | NatHERS maximum cooling load<br>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 availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

58
28/02/2025
VC274

# 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.

# 58.01 URBAN CONTEXT REPORT AND DESIGN RESPONSE

16/01/2018
VC142

## 58.01-1 Application requirements

13/04/2017
VC136

An application must be accompanied by:

- An urban context report.
- A design response.

## 58.01-2 Urban context report

16/01/2018
VC142

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

### Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

## 58.01-3 Design response

20/12/2021
VC174

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Selects materials and finishes for the external walls.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

## 58.02 URBAN CONTEXT

31/07/2018
VC148

### 58.02-1 Urban context objectives

13/04/2017
VC136

To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

#### Standard D1

The design response must be appropriate to the urban context and the site.

The proposed design must respect the existing or preferred urban context and respond to the features of the site.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

### 58.02-2 Residential policy objectives

31/07/2018
VC148

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

#### Standard D2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

### 58.02-3 Dwelling diversity objective

13/04/2017
VC136

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

#### Standard D3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

### 58.02-4 Infrastructure objectives

01/01/2024
VC250

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 Integration with the street objective

20/12/2021
VC174

To integrate the layout of development with the street.

To support development that activates street frontage.

### Standard D5

Development should be oriented to front existing and proposed streets.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

# 58.03 SITE LAYOUT

31/07/2018
VC148

## 58.03-1 Energy efficiency objectives

14/12/2023
VC253

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/M² per annum |
|---|---|
| Climate zone 21 Melbourne | 30 |
| Climate zone 22 East Sale | 22 |
| Climate zone 27 Mildura | 69 |
| Climate zone 60 Tullamarine | 22 |
| Climate zone 62 Moorabbin | 21 |
| Climate zone 63 Warrnambool | 21 |
| Climate zone 64 Cape Otway | 19 |
| Climate zone 66 Ballarat | 23 |

*Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).*

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

## 58.03-2 Communal open space objective

14/12/2023
VC253

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 Solar access to communal outdoor open space objective

13/04/2017
VC136

To allow solar access into communal outdoor open space.

### Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

## 58.03-4 Safety objective

13/04/2017
VC136

To ensure the layout of development provides for the safety and security of residents and property.

### Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

### Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

## 58.03-5 Landscaping objectives

15/03/2024
VC256

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<br>square metres or less | 5% of site area<br>Include at least 1 Type A tree | 5% of site area or 12 square metres whichever is the greater |
| 1001 - 1500<br>square metres | 50 square metres plus 20% of site area above 1,000 square metres<br>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<br>Include at least 2 Type B trees or 1 Type C tree | 10% of site area |
| 2501<br>square metres or more | 350 square metres plus 20% of site area above 2,500 square metres<br>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<br>Area of deep soil | Tree in planter<br>Volume of planter soil | Depth of planter soil |
|---|---|---|---|
| A | 12 square metres<br>(min. plan dimension 2.5 metres) | 12 cubic metres<br>(min. plan dimension of 2.5 metres) | 0.8 metre |
| B | 49 square metres<br>(min. plan dimension 4.5 metres) | 28 cubic metres<br>(min. plan dimension of 4.5 metres) | 1 metre |
| C | 121 square metres<br>(min. plan dimension 6.5 metres) | 64 cubic metres<br>(min. plan dimension of 6.5 metres) | 1.5 metre |

*Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.*

**Table D4 Tree type**

| Tree type | Minimum canopy diameter at maturity | Minimum height at maturity |
|---|---|---|
| A | 4 metres | 6 metres |
| B | 8 metres | 8 metres |
| C | 12 metres | 12 metres |

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character, landscaping or environmental policy, objective, strategy or statement set out in this planning scheme.
- The design response.
- The health of any trees to be removed.
- The suitability of the proposed location, deep soil area and planter volume for canopy trees.
- The suitability of the proposed landscaping in communal outdoor open space.
- The type and quantity of canopy cover, including any alternatives to trees.
- The soil type and drainage patterns of the site.
- The ongoing management of landscaping, including any irrigation systems.

## 58.03-6 Access objective

20/12/2021
VC174

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure the vehicle crossovers are designed and located to minimise visual impact.

### Standard D11

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the street.
- The impact on the safety of pedestrians or cyclists.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and road reserve.

## 58.03-7 Parking location objectives

13/04/2017
VC136

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

### Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

#### Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

## 58.03-8 Integrated water and stormwater management objectives

26/10/2018
VC154

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

#### Standard D13

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

# 58.04 AMENITY IMPACTS

13/04/2017
VC136

## 58.04-1 Building setback objectives

14/12/2023
VC253

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 Internal views objective

13/04/2017
VC136

To limit views into the private open space and habitable room windows of dwellings within a development.

### Standard D15

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

### Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

## 58.04-3 Noise impacts objectives

14/12/2023
VC253

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 Wind impacts objective

04/05/2022
VC210

To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

### Standard D17

Development of five or more storeys, excluding a basement should:

- not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

### Table D6 Wind conditions

| Unsafe | Comfortable |
|---|---|
| Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions. | Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:<br>▪ 3 metres per second for sitting areas,<br>▪ 4 metres per second for standing areas,<br>▪ 5 metres per second for walking areas. |

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The urban context report.
- The design response.

- The safety, functionality and amenity of public, private and communal open space areas.
- Whether it has been demonstrated by a suitably qualified specialist that the development will not generate unacceptable wind impacts within the site or on surrounding land.

## 58.05 ON-SITE AMENITY AND FACILITIES

13/04/2017
VC136

### 58.05-1 Accessibility objective

04/05/2022
VC210

To ensure the design of dwellings meets the needs of people with limited mobility.

#### Standard D18

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.

**Table D7 Bathroom design**

| | Design option A | Design option B |
|---|---|---|
| Door opening | A clear 850mm wide door opening. | A clear 820mm wide door opening located opposite the shower. |
| Door design | Either:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges. | Either:<br>▪ A slide door, or<br>▪ A door that opens outwards, or<br>▪ A door that opens inwards and has readily removable hinges. |
| Circulation area | A clear circulation area that is:<br>▪ A minimum area of 1.2 metres by 1.2 metres.<br>▪ Located in front of the shower and the toilet.<br>▪ Clear of the toilet, basin and the door swing.<br>The circulation area for the toilet and shower can overlap. | A clear circulation area that is:<br>▪ A minimum width of 1 metre.<br>▪ The full length of the bathroom and a minimum length of 2.7 metres.<br>▪ Clear of the toilet and basin.<br>The circulation area can include a shower area. |
| Path to circulation area | A clear path with a minimum width of 900mm from the door opening to the circulation area. | Not applicable. |
| Shower | A hobless (step-free) shower. | A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening. |
| Toilet | A toilet located in the corner of the room. | A toilet located closest to the door opening and clear of the circulation area. |

### 58.05-2 Building entry and circulation objectives

04/05/2022
VC210

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

#### Standard D19

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

### 58.05-3 Private open space objective

04/05/2022
VC210

To provide adequate private open space for the reasonable recreation and service needs of residents.

#### Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

**Table D8 Balcony size**

| Orientation of dwelling | Dwelling type | Minimum area | Minimum dimension |
|---|---|---|---|
| North (between north 20 degrees west to north 30 degrees east) | All | 8 square metres | 1.7 metres |
| South (between south 30 degrees west to south 30 degrees east) | All | 8 square metres | 1.2 metres |
| Any other orientation | Studio or 1 bedroom dwelling | 8 square metres | 1.8 metres |
| | 2 bedroom dwelling | 8 square metres | 2 metres |
| | 3 or more bedroom dwelling | 12 square metres | 2.4 metres |

**Table D9 Additional living area or bedroom area**

| Dwelling type | Additional area |
|---|---|
| Studio or 1 bedroom dwelling | 8 square metres |
| 2 bedroom dwelling | 8 square metres |
| 3 or more bedroom dwelling | 12 square metres |

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
- The useability and functionality of any additional living area or bedroom area, including its size and layout.

## 58.05-4 Storage objective

04/05/2022
VC210

To provide adequate storage facilities for each dwelling.

### Standard D21

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

**Table D10 Storage**

| Dwelling type | Total minimum storage volume | Minimum storage volume within the dwelling |
|---|---|---|
| Studio | 8 cubic metres | 5 cubic metres |
| 1 bedroom dwelling | 10 cubic metres | 6 cubic metres |

| Dwelling type | Total minimum storage volume | Minimum storage volume within the dwelling |
|---|---|---|
| 2 bedroom dwelling | 14 cubic metres | 9 cubic metres |
| 3 or more bedroom dwelling | 18 cubic metres | 12 cubic metres |

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

## 58.06 DETAILED DESIGN

13/04/2017
VC136

### 58.06-1 Common property objectives

04/05/2022
VC210

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

#### Standard D22

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

### 58.06-2 Site services objectives

04/05/2022
VC210

To ensure that site services are accessible and can be installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

#### Standard D23

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.

#### Decision guideline

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

### 58.06-3 Waste and recycling objectives

04/05/2022
VC210

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

#### Standard D24

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

## 58.06-4 External walls and materials objective

04/05/2022
VC210

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

#### Standard D25

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant building design and urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

## 58.07 INTERNAL AMENITY

13/04/2017
VC136

### 58.07-1 Functional layout objective

04/05/2022
VC210

To ensure dwellings provide functional areas that meet the needs of residents.

#### Standard D26

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

**Table D11 Bedroom dimensions**

| Bedroom type | Minimum width | Minimum depth |
|---|---|---|
| Main bedroom | 3 metres | 3.4 metres |
| All other bedrooms | 3 metres | 3 metres |

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

**Table D12 Living area dimensions**

| Dwelling type | Minimum width | Minimum area |
|---|---|---|
| Studio and 1 bedroom dwelling | 3.3 metres | 10 sqm |
| 2 or more bedroom dwelling | 3.6 metres | 12 sqm |

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

### 58.07-2 Room depth objective

04/05/2022
VC210

To allow adequate daylight into single aspect habitable rooms.

#### Standard D27

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

## 58.07-3 Windows objective

04/05/2022
VC210

To allow adequate daylight into new habitable room windows.

### Standard D28

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

## 58.07-4 Natural ventilation objectives

04/05/2022
VC210

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

### Standard D29

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.

- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

# 59 VICSMART APPLICATIONS AND REQUIREMENTS

31/07/2018
VC148

## 59.01 REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

31/07/2018
VC148

### 59.01-1 Information requirements

01/07/2021
VC203

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and the risks to human health and the environment of a on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

### 59.01-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.

  - Appropriately accommodate any existing or proposed easements on the lots.
  - Protect solar access for existing and any future dwellings on the lots.
  - Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
  - Appropriately accommodate private open space.
  - Appropriately accommodate the provision of utility services to each lot.
  - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
  - Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
  - Appropriately accommodate the existing use and possible future development of the land.
- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

# 59.02 SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

31/07/2018
VC148

## 59.02-1 Information requirements

01/07/2021
VC203

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and manage the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

## 59.02-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.

  - Appropriately accommodate any existing loading bay and vehicle storage area.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.
- Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

# 59.03 FRONT FENCE IN A RESIDENTIAL ZONE

31/07/2018
VC148

## 59.03-1 Information requirements

31/07/2018
VC148

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

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

## 59.03-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.

## 59.04 BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

31/07/2018
VC148

### 59.04-1 Information requirements

08/09/2025
VC282

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:
    - A2-3 Side and rear setbacks.
    - A2-4 Walls on boundaries.
    - A4-1 Daylight to existing windows.
    - A4-2 Existing north-facing windows.
    - A4-3 Overshadowing secluded open space.

- A4-4 Overlooking.
- A5-2 Overshadowing domestic solar energy systems.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

## 59.04-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.

## 59.05 BUILDINGS AND WORKS IN AN OVERLAY

31/07/2018
VC148

### 59.05-1 Information requirements

08/09/2025
VC282

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, 54.02-3, 54.02-4, 54.02-5, 54.02-7, 54.03-1, 54.04-1, 54.04-2, 54.05-1, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

### 59.05-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.

## 59.06 REMOVE, DESTROY OR LOP ONE TREE

20/03/2023
VC229

### 59.06-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

### 59.06-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.

# 59.07 APPLICATIONS UNDER A HERITAGE OVERLAY

31/07/2018
VC148

## 59.07-1 Information requirements

04/11/2022
VC226

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy system (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the planning scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy system is proposed that is visible from a street (other than a lane) or public park, measures proposed to minimise the visibility of the system and protect the structural integrity of heritage features.

## 59.07-2 Decision guidelines

04/11/2022
VC226

In assessing an application the responsible authority must consider as appropriate:

### General

- The significance of the heritage place and whether the proposal will adversely affect that significance.

- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Any relevant local heritage policy set out in the planning scheme.

**Demolition**

- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

**Buildings and works**

- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

**Alterations**

- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

**Fences**

- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

**Trees**

- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

**Subdivision**

- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

**Signage**

- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

**Solar energy systems**

- Any relevant building design or energy policy set out in the Planning Policy Framework.
- Whether the proposed solar energy system can be sited to minimise visibility from a street or public park without significantly impacting its performance.
- Whether the proposed solar energy system can be designed to minimise the impact on the significance, character or appearance of the heritage place.

## 59.08 APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

31/07/2018
VC148

### 59.08-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

### 59.08-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

# 59.09 SIGNS

31/07/2018
VC148

## 59.09-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

## 59.09-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.

  - The extent to which the proposed sign requires the removal of vegetation.

- Whether the proposed sign is consistent with any outdoor advertising theme.
- Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
- Whether the proposed sign will adversely impact road safety.

# 59.10 CAR PARKING

31/07/2018
VC148

## 59.10-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area's existing car parking.

## 59.10-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.

- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.

# 59.11 TWO LOT RESIDENTIAL SUBDIVISION

16/10/2025
VC288

## 59.11-1 Information requirements

16/10/2025
VC288

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

- A copy of title for the land and a copy of any registered restrictive covenant.
- A site and context description in accordance with clause 59.11-1.1.
- A design response in accordance with clause 59.11-1.2.

### 59.11-1.1 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.
- Location and details of trees and other significant vegetation.
- Location and use of existing buildings on the site.
- Location and dimensions of easements on the site.
- Location of vehicle and pedestrian access, car parking, storage areas (including waste bin storage) and private open space on the site.
- Soil conditions of the site, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
- Location of adjacent roads and street frontage features such as poles, infrastructure pits, street trees and kerb crossovers.
- Location of drainage and other utilities.
- Noise and odour sources or other external influences.
- Adjacent uses.
- Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

### 59.11-1.2 Design response

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Meets the following objectives of clause 56:
  - Clause 56.04-2 Lot area and building envelopes objective.
  - Clause 56.04-5 Common area objective.
  - Clause 56.06-8 Lot access objective.
  - Clause 56.07-4 Stormwater management objective.

The design response must include a dimensioned plan to scale showing:

- The layout of the subdivision in context with the surrounding area, including the boundaries, dimensions and areas of the proposed lots.
- Proposed common property, easements, and vehicle and pedestrian access.
- If a proposed lot contains an existing dwelling proposed to be retained, the location and dimensions of the private open space, vehicle access and car parking for that dwelling.

## 59.11-2 Decision guidelines

16/10/2025
VC288

In assessing an application the responsible authority must consider as appropriate:

- The objectives and standards in the following clauses:
  - Clause 56.04-2 Lot area and building envelopes objective.
  - Clause 56.04-5 Common area objective.
  - Clause 56.06-8 Lot access objective.
  - Clause 56.07-4 Stormwater management objective.
- The area and dimensions of each lot in the subdivision.
- The suitability of the land for subdivision.
- The provision of private open space, car parking and access for a lot containing an existing dwelling proposed to be retained.
- The location, dimensions and gradient of proposed vehicle access.
- The effect of development on the use or development of other land which has a common means of drainage.
- The provision of off-street parking.
- The provision and location of common property.
- The effect on the environment, human health and amenity of the area.
- The degree of flood or erosion associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

## 59.12 TWO LOT SUBDIVISION IN A RURAL ZONE

31/07/2018
VC148

### 59.12-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

### 59.12-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Any Regional Catchment Strategy applying to the land.
- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.

## 59.13 BUILDINGS AND WORKS IN A RURAL ZONE

31/07/2018
VC148

### 59.13-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

### 59.13-2 Decision guidelines

03/02/2022
VC199

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.

- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

## 59.14 [NO CONTENT]

08/09/2025
VC282

## 59.15 LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.

31/07/2018
VC148

# SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

## 1.0

24/06/2021
C83gpla

### Table 1 Classes of VicSmart application under zone provisions

| Name of zone or class of zone | Class of application | Permit requirement provision | Information requirements and decision guidelines |
|---|---|---|---|
| None specified | | | |

## 2.0

24/06/2021
C83gpla

### Table 2 Classes of VicSmart application under overlay provisions

| Name of overlay or class of overlay | Class of application | Permit requirement provision | Information requirements and decision guidelines |
|---|---|---|---|
| None specified | | | |

## 3.0

24/06/2021
C83gpla

### Table 3 Classes of VicSmart application under particular provisions

| Name of particular provision | Class of application | Permit requirement provision | Information requirements and decision guidelines |
|---|---|---|---|
| None specified | | | |

## 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.

24/06/2021
C83gpla

# SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

## 1.0 Information requirements

24/06/2021
C83gpla

None specified.

## 2.0 Decision guidelines

24/06/2021
C83gpla

None specified.

## 60 GENERAL PROVISIONS

31/07/2018
VC148

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.

## 61 [NO CONTENT]

31/07/2018
VC148

# 62 GENERAL EXEMPTIONS

31/07/2018
VC148

## 62.01 USES NOT REQUIRING A PERMIT

14/12/2023
VC253

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.

## 62.02 BUILDINGS AND WORKS

15/03/2019
VC157

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

### 62.02-1 Buildings and works not requiring a permit

14/12/2023
VC253

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 shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.
- An annexe attached to a movable caravan located on land used for a camping and caravan park.
- Works associated with geotechnical testing or service proving.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.
- Temporary buildings and works associated with environmental monitoring (including monitoring groundwater, noise or air quality) constructed or carried out by or on behalf of the Head, Transport for Victoria.

## 62.02-2 Buildings and works not requiring a permit unless specifically required by the planning scheme

14/12/2023
VC253

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 Vegetation removal

30/08/2006
VC40

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.

# 62.03 EVENTS AND OUTDOOR DINING ON PUBLIC LAND

27/06/2025
VC275

## 62.03-1 Events

27/06/2025
VC275

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 Outdoor dining

27/06/2025
VC275

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 SUBDIVISIONS NOT REQUIRING A PERMIT

28/03/2018
VC145

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.

## 62.05 DEMOLITION

17/02/2022
VC200

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

Any requirement in this planning scheme (other than a requirement in a Heritage Overlay) relating to the demolition or removal of a building or works does not apply to the demolition of removal of a building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria.

## 62.06 DELIVERY OF ESSENTIAL GOODS PERMIT CONDITION EXEMPTION

28/10/2022
VC224

The purpose of this exemption is to enable additional flexibility for deliveries of essential goods if the time within which a delivery may be carried out is regulated by a permit condition.

In this exemption, ***delivery*** includes loading, dispatching and unloading.

This exemption applies to the delivery of food, drink, groceries, medicine, or cleaning, sanitising, health, hygiene, medical or personal protection equipment, supplies, or products, or the like.

Despite any condition of a permit that specifies a period of time within which a delivery may be carried out, a delivery may be carried out for up to 1 hour before the start of the specified period and 1 hour after the end of the specified period.

*Example:* *If a condition of a permit only allows deliveries between the hours of 7am and 10pm, the delivery may be carried out under this exemption after 6am and up until 11pm.*

# 63 EXISTING USES

28/03/2018
VC145

## 63.01 EXTENT OF EXISTING USE RIGHTS

28/03/2018
VC145

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.

## 63.02 CHARACTERISATION OF USE

31/07/2018
VC148

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.

## 63.03 EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

28/03/2018
VC145

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.

## 63.04 SECTION 1 USES

28/03/2018
VC145

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.

## 63.05 SECTIONS 2 AND 3 USES

28/03/2018
VC145

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.

## 63.06 EXPIRATION OF EXISTING USE RIGHTS

28/03/2018
VC145

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.

## 63.07 COMPLIANCE WITH CODES OF PRACTICE

28/03/2018
VC145

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and *Lands Act 1987*.
- The code of practice is approved or ratified by Parliament under an Act.

## 63.08 ALTERNATIVE USE

28/03/2018
VC145

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.

## 63.09 SHOP CONDITIONS

28/03/2018
VC145

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.

## 63.10 DAMAGED OR DESTROYED BUILDINGS OR WORKS

28/03/2018
VC145

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.

## 63.11 PROOF OF CONTINUOUS USE

12/02/2024
VC254

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 DECISION GUIDELINES

28/03/2018
VC145

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.

# 64 GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND

28/03/2018
VC145

## 64.01 LAND USED FOR MORE THAN ONE USE

28/03/2018
VC145

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.

## 64.02 LAND USED IN CONJUNCTION WITH ANOTHER USE

28/03/2018
VC145

If a provision of this scheme provides that a use of land must be used 'in conjunction with' another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.

## 64.03 SUBDIVISION OF LAND IN MORE THAN ONE ZONE

28/03/2018
VC145

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

### Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.

## 65 DECISION GUIDELINES

28/03/2018
VC145

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

## 65.01 APPROVAL OF AN APPLICATION OR PLAN

09/12/2021
VC204

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

## 65.02 APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

15/03/2024
VC256

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.

66
14/05/2021
VC198

# REFERRAL AND NOTICE PROVISIONS

## Scope

These provisions set out the kinds of applications which must be referred under section 55 of the Act or for which notice must be given under section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of section 52(1) of the Act.

These provisions also specify when a plan must be referred under section 8(1)(a) of the *Subdivision Act 1988*.

## Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.

Any requirement for referral under this or another clause does not apply if:

- In the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal; or
- The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority (other than the Head, Transport for Victoria) under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990.*

## Notice

Notice of an application of the kind listed in Clauses 66.05 and 66.06 must be given in accordance with section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.

## 66.01 SUBDIVISION REFERRALS

30/10/2025
VC291

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:<br>▪ A boundary realignment.<br>▪ The subdivision of an existing building already connected to services.<br>▪ A two lot subdivision.<br>▪ The subdivision of land into lots each containing an existing dwelling or car parking space. | The relevant water, drainage or sewerage authority<br>The relevant electricity supply or distribution authority<br>The relevant gas supply authority only where the subdivision is proposed to connect a lot to a reticulated gas supply system. | Determining referral authority<br>Determining referral authority<br>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. | The relevant fire authority | Determining referral authority |
| To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road. | Minister administering the *Land Act 1958* | Determining referral authority |
| To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement. | The relevant gas supply authority | Determining referral authority |
| To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement. | The relevant electricity transmission authority | Determining referral authority |
| To subdivide a heritage place of which all or part is included in the Victorian Heritage Register. | The Executive Director specified in the *Heritage Act 2017* | Determining referral authority |

*Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.*

## 66.01-1 Mandatory conditions for subdivision permits

04/08/2022
VC221

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

## 66.01-2 Referrals under the Subdivision Act – certification of plans

15/09/2008
VC49

For the purpose of Section 8(1)(a) of the *Subdivision Act 1988* referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the *Land Act 1958* has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.

## 66.02 USE AND DEVELOPMENT REFERRALS

31/07/2018
VC148

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### 66.02-1 Environment Protection Authority Licence

04/05/2022
VC210

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| For a use or development requiring any of the following:<br>▪ A Development Licence or Operating Licence in accordance with Part 4.4 of the *Environment Protection Act 2017*.<br>▪ Amendment of a licence in accordance with Part 4.3 of the *Environment Protection Act 2017*. | Environment Protection Authority | Determining referral authority |

### 66.02-2 Native vegetation

30/10/2025
VC291

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| ▪ To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025).<br>▪ To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.<br>▪ To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority. | Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) | Recommending referral authority |

### 66.02-3 Cattle feedlot

25/05/2017
VC133

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| To use or develop land for a cattle feedlot. | Minister for Agriculture | Determining referral authority |
| | If the site is located within a special water supply catchment area under the *Catchment and Land Protection Act 1994*, the relevant water authority under the *Water Act 1989* and the Secretary to the Department administering the *Catchment and Land Protection Act 1994* | Determining referral authority |
| | If the number of cattle is 5000 or more, the Environment Protection Authority | Determining referral authority |

## 66.02-4 Major electricity line or easement

25/05/2017
VC133

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement. | The relevant electricity transmission authority | Determining referral authority |

## 66.02-5 Special water supply catchment area

22/11/2024
VC263

| 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 *Catchment and Land Protection Act 1994* and which provides water to a domestic supply.<br>This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling. | The relevant water board or water supply authority | Determining referral authority |

## 66.02-6 Timber production

25/05/2017
VC133

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| ▪ To use or develop land for timber production by establishing a plantation.<br>▪ To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater. | Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) | Determining referral authority |

## 66.02-7 Industry, utility installation or warehouse

14/01/2025
VC237

| 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:<br>– 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.<br>– A licence is required under the Dangerous Goods (Explosives) Regulations 2011.<br>– 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:<br>– A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2022.<br>– A notification is required under the Occupational Health and Safety Regulations 2017.<br>– A licence is required under the Dangerous Goods (Explosives) Regulations 2011.<br>– A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture. | The Victorian WorkCover Authority | Determining referral authority |

## 66.02-8 Extractive industry

22/03/2022
VC219

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| ▪ To use or develop land for extractive industry. | Secretary to the Department administering the *Heritage Act 2017*.<br>Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990* | Determining referral authority |
| ▪ To use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. | Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990* | Recommending referral authority |
| ▪ To use or develop land for extractive industry on Crown land or land abutting Crown land, other than a government road. | Secretary to the Department administering the *Land Act 1958*, *Crown Land (Reserves) Act 1978*, *National Parks Act 1975* and *Forests Act 1958* | Determining referral authority |

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| ▪ To use or develop land for extractive industry:<br>– In Special Areas declared under Section 27 of the *Catchment and Land Protection Act 1994*.<br>– 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.<br>– On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management. | Secretary to the Department administering the *Catchment and Land Protection Act 1994* | Determining referral authority |
| ▪ To use or develop land for extractive industry:<br>– In areas with communities or taxa listed or critical habitat determined under the *Flora and Fauna Guarantee Act 1988*.<br>– On land which has been identified in this scheme as containing sites of flora or fauna significance. | Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988* | Determining referral authority |
| ▪ To use or develop land for extractive industry on land which has been identified in this scheme as flood prone. | Secretary to the Department administering Section 201 of the *Water Act 1989* | Determining referral authority |
| ▪ To use or develop land for extractive industry if the land is intended to be used for land fill at a future date. | Environment Protection Authority | Determining referral authority |
| ▪ To use or develop land for extractive industry:<br>– On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the *Road Management Act 2004* and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.<br>– On land which abuts a road declared as a freeway or an arterial road under the *Road Management Act 2004*. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Head, Transport for Victoria and the declared road is not a freeway. | Head, Transport for Victoria | Determining referral authority |

## 66.02-9 Geothermal energy extraction

25/05/2017
VC133

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| To use or develop land for geothermal energy extraction. | Secretary to the Department administering the *Geothermal Energy Resources Act 2005* | Determining referral authority |

## 66.02-10 Greenhouse gas sequestration

25/05/2017
VC133

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| To use or develop land for greenhouse gas sequestration. | Secretary to the Department administering the *Greenhouse Gas Geological Sequestration Act 2008* | Determining referral authority |

## 66.02-11 Land use and transport integration

09/12/2021
VC204

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| An application to subdivide land, to construct a building or to construct or carry out works for any of the following:<br>▪ A residential development comprising 60 or more dwellings or lots.<br>▪ A residential building comprising 60 or more lodging rooms.<br>▪ A residential village comprising 60 or more dwellings.<br>▪ A retirement village comprising 60 or more dwellings or lots.<br>▪ A new retail premises of 4000 or more square metres of leasable floor area.<br>▪ 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.<br>▪ An office development of 10,000 or more square metres of leasable floor area.<br>▪ A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.<br>▪ An education centre.<br>▪ A major sports and recreation facility.<br>▪ Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.<br>This does not apply to:<br>▪ Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.<br>▪ A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria. | Head, Transport for Victoria | Determining referral authority |

## 66.02-12 Declared irrigation districts

17/09/2019
VC161

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the *Water Act 1989.* | Secretary to the Department administering the *Water Act 1989.* | Recommending referral authority |

## 66.02-13 State transport projects

17/02/2022
VC200

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| An application to which clause 53.21 applies. | The municipal council for the municipal district within which the proposed use or development will be carried out. | Recommending referral authority. |

## 66.02-14 Freeway service centre

20/03/2023
VC229

| Kind of application | Referral authority | Type of referral authority |
|---|---|---|
| To use or develop land for a Freeway service centre. | Head, Transport for Victoria | Determining referral authority |

## 66.03 REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

01/07/2025
VC286

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

| Clause | Kind of application | Referral authority | Type of referral authority |
|---|---|---|---|
| Clause 36.03-5 (PCRZ) | An application for the use or development of an Emergency services facility. | Secretary to the Department of Energy, Environment and Climate Action | Determining referral authority |
| Clause 37.03-5 (UFZ) | An application under the zone within the waterway management district of Melbourne Water Corporation. | Melbourne Water Corporation | Determining referral authority |
| | An application under the zone outside the waterway management district of Melbourne Water Corporation. | Relevant floodplain management authority | Recommending referral authority |
| Clause 37.07-5 (UGZ) | An application under the zone within Metropolitan Melbourne. | Victorian Planning Authority | Determining referral authority |
| | An application under the zone outside Metropolitan Melbourne. | Secretary to the Department administering the *Planning and Environment Act 1987* | Determining referral authority |
| Clause 44.02-8 (SMO) | An application under the overlay and any site capability report. | Secretary to the Department of Energy, Environment and Climate Action | Determining referral authority |
| Clause 44.03-6 (FO) | An application under the overlay within the waterway management district of Melbourne Water Corporation. | Melbourne Water Corporation | Determining referral authority |
| | An application under the overlay outside the waterway management district of Melbourne Water Corporation. | Relevant floodplain management authority | Recommending referral authority |
| Clause 44.04-7 (LSIO) | An application under the overlay within the waterway management district of Melbourne Water Corporation. | Melbourne Water Corporation | Determining referral authority |
| | An application under the overlay outside the waterway management district of Melbourne Water Corporation. | Relevant floodplain management authority | Recommending referral authority |
| Clause 44.05-6 (SBO) | An application under the overlay within the waterway management district of Melbourne Water Corporation. | Melbourne Water Corporation | Determining referral authority |

| Clause | Kind of application | Referral authority | Type of referral authority |
|---|---|---|---|
| | An application under the overlay outside the waterway management district of Melbourne Water Corporation. | Relevant floodplain management authority | Recommending referral authority |
| Clause 44.06-6 (BMO) | An application to construct a building or carry out works associated with a dwelling.<br>This does not apply to a non habitable outbuilding that meets the following requirements:<br>▪ The outbuilding is ancillary to a dwelling,<br>▪ 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,<br>▪ The canopy of each tree within the defendable space is separated by at least 2 metres, and<br>▪ Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. | Relevant fire authority | Recommending referral authority |
| | An application to subdivide land. | Relevant fire authority | Recommending referral authority |
| | An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land. | Relevant fire authority | Determining referral authority |
| Clause 44.07-6 (SRO) | An application of the kind specified in a schedule to the overlay. | Referral authority specified in a schedule to the overlay | Determining referral authority |
| Clause 45.01-3 (PAO) | An application under the overlay. | Acquiring authority specified in the schedule to the overlay | Determining referral authority |
| Clause 45.07-6 (CLPO) | An application under the overlay. | Head, Transport for Victoria | Determining referral authority |
| Clause 52.05-3 | An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004.* | Head, Transport for Victoria | Determining referral authority |
| Clause 52.29-4 | 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 |

| Clause | Kind of application | Referral authority | Type of referral authority |
|---|---|---|---|
| | under the *Road Management Act 2004*, land owned by the Head, Transport for Victoria for the purpose of a road, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the acquisition is for the purpose of a road. | | |
| | Any other application under the Clause. | Owner of, or the acquiring authority for, the adjacent land in the Transport Zone 2 or the Public Acquisition Overlay | Determining referral authority |
| Clause 52.32 | An application to amend a permit under section 72 or 97I of the *Planning and Environment Act 1987* for a wind energy facility if the application amends or removes conditions or requirements for operational wind turbine noise. | Environment Protection Authority Victoria | Recommending referral authority |
| Clause 53.24 | An application to which Clause 53.24 applies. | Secretary to the Department of Transport and Planning | Determining referral authority |

## 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

28/03/2018
VC145

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.

28/10/2013
VC102

# SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

## 1.0 Referral of permit applications under local provisions

24/06/2021
C83gpla

| Clause | Kind of application | Referral authority | Referral authority type |
|---|---|---|---|
| None specified | None specified | None specified | None specified |

## 66.05 NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

01/07/2025
VC286

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:<br>▪ A permit for a wind energy facility; or<br>▪ An application for a permit for a wind energy facility; or<br>▪ An incorporated document approving a wind energy facility; or<br>▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*. | The owners and occupiers of land subject to:<br>▪ A permit for a wind energy facility; or<br>▪ An application for a permit for a wind energy facility; or<br>▪ An incorporated document approving a wind energy facility; or<br>▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*. |
| Clause 45.08-6 | An application to use or subdivide land, or to construct a building or construct or carry out works. | The airport lessee company of Melbourne Airport in accordance with the Commonwealth *Airports Act 1996* |
| Clause 52.09-7 | An application to use or subdivide land or construct a building for accommodation, education centre or hospital:<br>▪ Within an Extractive Industry Interest Area.<br>▪ On land which is within 500 metres of land on which a work plan has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.<br>An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.<br>These requirements do not apply to:<br>▪ An application to extend a building or works.<br>▪ An application that is required to be referred to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990* under section 55 of the Act. | The Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990* |
| Clause 52.09-7 | An application to use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. | The owners and occupiers of land subject to a work authority that has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. |

| Clause | Kind of application | Person or body to be notified |
|---|---|---|
| Clause 52.21 | An application to construct, use or illuminate a private tennis court under any provision of this scheme. | The owners and occupiers of adjoining and opposite properties |
| Clause 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:<br>▪ To which the exemption from notice and review in clause 52.31-2 applies.<br>▪ To construct or put up for display a sign.<br>▪ To remove, destroy or lop native vegetation under clause 52.17.<br>▪ 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<br>The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust |
| Clause 67.02-2 | An application to remove, destroy or lop native vegetation under clause 52.17 which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply if the application must be referred to the Secretary under section 55 of the Act. | Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) |

## 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

28/03/2018
VC145

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.

24/06/2021
C83gpla

# SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

## 1.0 Notice of permit applications under local provisions

24/06/2021
C83gpla

| Clause | Kind of application | Person or body to be notified |
|---|---|---|
| None specified | None specified | None specified |

# 67 LAND OWNED OR PERMIT REQUIRED BY RESPONSIBLE AUTHORITIES

14/09/2021
VC211

## 67.01 EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

24/01/2020
VC160

In accordance with section 6(2)(ka) of the Act, the following classes of use and development are exempted from section 96(1) and 96(2) of the Act:

### Class 1

Use of land for:

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

### Class 2

Development of land for:

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

### Class 3

Any other use or development.

## 67.02 NOTICE REQUIREMENTS AND EXEMPTION

14/09/2021
VC211

### 67.02-1 Application

14/09/2021
VC211

This clause applies to an application which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act.

### 67.02-2 Notice requirements

14/09/2021
VC211

In accordance with section 52(1)(c) of the Act, notice of an application must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- To which the exemption from notice and review in clause 52.31-2 applies.
- To construct or put up for display a sign.
- To remove, destroy or lop native vegetation under clause 52.17.
- If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.

In accordance with section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under clause 52.17 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

This does not apply if the application must be referred to the Secretary under section 55 of the Act.

### 67.02-3 Exemption from notice

14/09/2021
VC211

An application to construct or put up for display a sign on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of section 52(1)(a) of the Act.

# 70 OPERATIONAL PROVISIONS

31/07/2018
VC148

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.

# 71 OPERATION OF THIS PLANNING SCHEME

31/07/2018
VC148

# 71.01 OPERATION OF THE MUNICIPAL PLANNING STRATEGY

31/07/2018
VC148

## 71.01-1 Municipal Planning Strategy

24/01/2020
VC160

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

## 71.01-2 Transitional

03/02/2022
VC199

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.

# 71.02 OPERATION OF THE PLANNING POLICY FRAMEWORK

31/07/2018
VC148

## 71.02-1 Purpose of the Planning Policy Framework

31/07/2018
VC148

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

## 71.02-2 Operation

24/01/2020
VC160

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

### Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

### Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

## 71.02-3 Integrated decision making

03/02/2022
VC199

Victorians have various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting

objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

## 71.02-4 Transitional

31/07/2018
VC148

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.

## 71.03 OPERATION OF ZONES

31/07/2018
VC148

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

### 71.03-1 Section 1 uses

31/07/2018
VC148

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

### 71.03-2 Section 2 uses

31/07/2018
VC148

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

#### Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

### 71.03-3 Section 3 uses

31/07/2018
VC148

A use in Section 3 is prohibited.

## 71.04 OPERATION OF OVERLAYS

31/07/2018
VC148

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.

## 71.05 OPERATION OF PARTICULAR PROVISIONS

31/07/2018
VC148

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.

# 71.06 OPERATION OF VICSMART APPLICATIONS AND PROCESS

31/07/2018
VC148

## 71.06-1 VicSmart applications

16/10/2025
VC288

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which clause 71.06 applies.
- Information and other requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under clause 66, the referral requirements in clause 71.06-2 are met.

## 71.06-2 VicSmart process

16/10/2025
VC288

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 and requirements specified for the relevant class of application.
  - The following requirements that would otherwise be applicable to an application if it were not a VicSmart application:
    - A public open space requirement in clause 53.01 or clause 43.06-8 or a schedule to those clauses.
    - A minimum garden area requirement and a maximum building height requirement in a residential zone or a schedule to a residential zone.
- 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.

Before deciding a VicSmart application to which clause 55 applies, the responsible authority must, if a standard in clause 55 is not met, consider the decision guidelines for the corresponding objective.

Before deciding a VicSmart application to which clause 54 applies, the responsible authority must, if a standard in clause 54 is not met, consider the decision guidelines for the corresponding objective.

# 72 ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME

31/07/2018
VC148

## 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

17/09/2019
VC161

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

### 72.01-1 Minister is responsible authority

04/07/2025
VC258

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;

- 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 Responsible authority for administering and enforcing this planning scheme:

31/07/2018
VC148

The Golden Plains Shire Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

## 2.0 Responsible authority for administering and enforcing a provision of this planning scheme:

31/07/2018
VC148

None specified.

## 3.0 Person or responsible authority for issuing planning certificates:

31/07/2018
VC148

Minister for Planning.

## 4.0 Responsible authority for VicSmart and other specified applications:

22/09/2023
VC243

The Chief Executive Officer of the Golden Plains Shire 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 Golden Plains Shire 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 Golden Plains Shire Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

## 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

31/07/2018
VC148

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.

31/07/2018
VC148

# SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

## 1.0 Area covered by this planning scheme:

31/07/2018
VC148

The municipal district of the Shire of Golden Plains.

## 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

31/07/2018
VC148

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).
- All clauses in the Planning Policy Framework that include the letter 'L' in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

*Note: A clause numbered '11.01-1L' would be an example of a local provision in the Planning Policy Framework. 'C1Z' is an example of a code on a map that may be specified in the schedule to this clause. It stands for 'Commercial 1 Zone'.*

31/07/2018
VC148

# SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

## 1.0

20/12/2024
C102gpla

## Maps comprising part of this planning scheme:

- 1, 1BMO, 1ESO, 1LSIO-FO, 1SMO, 1VPO
- 2, 2BMO, 2ESO, 2HO, 2LSIO-FO, 2SMO, 2VPO
- 3, 3BMO, 3DDO, 3ESO, 3HO, 3LSIO-FO, 3SMO, 3VPO
- 4, 4BMO, 4DDO, 4ESO, 4HO, 4LSIO-FO, 4SLO, 4VPO
- 5, 5BMO, 5DDO, 5DPO, 5ESO, 5ESO3, 5HO, 5LSIO-FO, 5SLO, 5SMO, 5VPO
- 6, 6BMO, 6DDO, 6ESO, 6HO, 6LSIO-FO, 6SLO, 6SMO, 6VPO
- 7, 7BMO, 7DDO, 7DPO, 7ESO, 7ESO3, 7HO, 7LSIO-FO, 7SLO, 7SMO, 7VPO
- 8, 8BMO, 8ESO, 8HO, 8LSIO-FO, 8VPO
- 9, 9BMO, 9HO, 9VPO
- 10, 10BMO, 10DDO, 10ESO, 10ESO3, 10HO, 10LSIO-FO, 10SLO, 10SMO, 10VPO
- 11, 11BMO, 11ESO3, 11HO, 11LSIO-FO, 11SLO, 11SMO, 11VPO
- 12, 12BMO, 12ESO, 12HO, 12LSIO-FO, 12SMO, 12VPO
- 13, 13BMO, 13DDO, 13ESO, 13ESO3, 13HO, 13LSIO-FO, 13RO, 13SCO, 13SMO, 13VPO
- 14, 14DDO, 14HO, 14SLO, 14SMO, 14VPO
- 15, 15DDO, 15ESO, 15HO, 15LSIO-FO, 15SCO, 15SMO, 15VPO
- 16, 16BMO, 16ESO, 16ESO3, 16HO, 16LSIO-FO, 16SCO, 16SLO, 16SMO, 16VPO
- 17, 17BMO, 17DDO, 17DPO, 17ESO, 17ESO3, 17HO, 17LSIO-FO, 17PAO, 17SLO, 17SMO, 17VPO
- 18, 18DDO, 18ESO3, 18HO, 18LSIO-FO, 18PAO, 18SLO, 18SMO, 18VPO
- 19, 19DDO, 19DPO, 19ESO, 19ESO3, 19HO, 19LSIO-FO, 19SLO, 19SMO
- 20, 20BMO, 20DDO, 20ESO, 20ESO3, 20HO, 20LSIO-FO, 20SLO, 20SMO, 20VPO
- 21, 21BMO, 21ESO3, 21HO, 21LSIO-FO, 21SLO
- 22, 22ESO, 22LSIO-FO, 22SCO, 22SMO, 22VPO
- 23, 23ESO, 23HO, 23LSIO-FO, 23SCO, 23SLO, 23SMO, 23VPO
- 24, 24BMO, 24DDO, 24DPO, 24ESO, 24ESO3, 24HO, 24LSIO-FO, 24SLO, 24SMO, 24VPO
- 25, 25DDO, 25DPO, 25ESO, 25HO, 25LSIO-FO, 25SLO, 25SMO, 25VPO
- 26, 26BMO, 26DDO, 26ESO, 26HO, 26LSIO-FO, 26SLO
- 27, 27BMO, 27DDO, 27DPO, 27EAO, 27ESO, 27HO, 27LSIO-FO, 27SLO, 27SMO
- 28, 28BMO, 28DDO, 28DPO, 28ESO, 28ESO3, 28HO, 28LSIO-FO, 28PAO, 28SCO, 28SLO, 28SMO, 28VPO
- 29, 29DDO, 29DPO, 29ESO, 29ESO3, 29HO, 29LSIO-FO, 29SLO, 29SMO, 29VPO

## 72.04 INCORPORATED DOCUMENTS

30/10/2025
VC291

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the *Planning and Environment Act 1987*.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

*Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.*

### Table to Clause 72.04

| Name of document | Introduced by: |
|---|---|
| *A 'Good Neighbour' Code of Practice for a Circus or Carnival* (Department of Infrastructure, October 1997) | NPS1 |
| *Apiary Code of Practice* (Department of Planning and Community Development, May 2011) | VC81 |
| *Australian Standard AS/NZS 2890.1:2004, Parking Facilities - Off-street Car Parking* (Standards Australia, 2004) | VC26 |
| *Australian Standard AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking* (Standards Australia, 2015) | VC237 |
| *Building in Bushfire-Prone Areas* (Publication SAA HB36-1993, CSIRO & Standards Australia, May 1993) | NPS1 |
| *Code of Practice for Bushfire Management on Public Land* (Department of Sustainability and Environment, June 2012) | VC101 |
| *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022) | VC229 |
| *Design Vehicles and Turning Path Templates* (Publication AP-34/95, Austroads, 1995) | VC12 |
| *Guide to Residential Streets and Paths* (Publication C&CCA T51-2004, Cement and Concrete Association of Australia, 2004) | VC26 |
| *Guide to Road Design, Part 6A: Pedestrian and Cycle Paths* (Austroads, 2021) | VC77 |
| *Guidelines for the Removal, Destruction or Lopping of Native Vegetation* (Department of Energy, Environment and Climate Action, 2025) | VC291 |
| *Industrial and Commercial Land Classifications* (Department of Transport and Planning, July 2025) | VC283 |
| *North Growth Corridor Plan* (Victorian Planning Authority, August 2012) | VC283 |
| *Local Government Planning Guide for Dry Land Salinity*(Department Conservation and Natural Resources, October 1995) | NPS1 |
| *Pavement Design - A Guide to the Structural Design of Road Pavements* (Austroads, 1992) | VC12 |
| *Planning Requirements for Racing Dog Keeping and Training* (Department of Environment, Land, Water and Planning, August 2017) | VC139 |
| *Principal Public Transport Network 2017* (Victorian Government, 2017) | VC132 |
| *Principal Public Transport Network Area Maps* (Victorian Government, August 2018) | VC151 |
| *Private Tennis Court Development Code of Practice* (Revision 1, Department of Infrastructure, March 1999) | VC5 |

| Name of document | Introduced by: |
|---|---|
| *South East Growth Corridor Plan* (Victorian Planning Authority, August 2012) | VC283 |
| *Sunbury Growth Corridor Plan* (Victorian Planning Authority, June 2012) | VC283 |
| *Victorian Code for Broiler Farms 2009 - Plus 2018 amendments* (Department of Primary Industries, 1999) | VC60 |
| *Victorian Code for Cattle Feedlots* (Department of Agriculture, Energy and Minerals, August 1995) | NPS1 |
| *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018) | VC150 |
| *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018) | VC150 |
| *West Growth Corridor Plan* (Victorian Planning Authority, August 2012) | VC283 |

15/01/2024
VC249

# SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS

## 1.0 Incorporated documents

20/12/2024
C102gpla

| Name of document | Introduced by: |
|---|---|
| *45 Pioneer Ridge Road, Meredith, Crown Allotment 28F, Parish of Meredith, Vol.10910, Fol.681* (May 2014) | C69 |
| *Batesford Structure Plan (*2001) | C9 |
| *Bannockburn Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Clontarf Homestead,4 Wallace St, Meredith, Heritage Statement of Significance* (Lorraine Huddle Heritage Consultant, May 2022) | C101gpla |
| *Corindhap Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Gheringhap Service Station Advertising Signage Incorporated Document (*July 2020) | C89gpla |
| *Golden Plains Wind Farm Incorporated Document* (May 2022) | C100gpla |
| *Inverleigh Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Lethbridge Heritage Precinct statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Linton Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Meredith Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Pollocksford Bridge Statement of Significance* (Ecology and Heritage Partners Pty Ltd, July 2020) | GC183 |
| *Rail Gauge Standardisation Project, Integrated Approval Requirements* (Department of Infrastructure, December 2002) | VC17 |
| *Rail Upgrades at Geelong Port Project* (May 2010) | C54 |
| *Restructure Plan No. 1 – Illabarook Environs* (Golden Plains Shire Council, February 2006) | C21 |
| *Restructure Plan No. 2 – Taylors Road Haddon* (Golden Plains Shire Council, June 2007) | C31 |
| *Rokewood Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Ryans Road, Gheringhap* (March 1999) | NPS1 |
| *Scarsdale Newton Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2019) | C90gpla |
| *Shelford Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Smythesdale Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |
| *Steiglitz Heritage Precinct Statement of Significance* (Golden Plains Shire Council, 2020) | C90gpla |

## 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

31/07/2018
VC148

This planning scheme began on the date specified in the schedule to this clause.

31/07/2018
VC148

# SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

## 1.0 Date this planning scheme began:

31/07/2018
VC148

20 May 1999

## 72.06 EFFECT OF THIS PLANNING SCHEME

31/07/2018
VC148

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.

## 72.07 DETERMINATION OF BOUNDARIES

31/07/2018
VC148

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.

## 72.08 BACKGROUND DOCUMENTS

02/09/2025
VC283

The documents listed in the table and the schedule to this clause are background documents.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

**Table to Clause 72.08**

| Name of background document | Amendment number - clause reference |
|---|---|
| *Central Highlands Regional Growth Plan* (Victorian Government, 2014) | VC106<br>Clauses 10 to 19 |
| *G21 Regional Growth Plan* (Geelong Region Alliance, 2013) | VC106<br>Clauses 10 to 19 |
| *Gippsland Regional Growth Plan* (Victorian Government, 2014) | VC106<br>Clauses 10 to 19 |
| *Great South Coast Regional Growth Plan* (Victorian Government, 2014) | VC106<br>Clauses 10 to 19 |
| *Hume Regional Growth Plan* (Victorian Government, 2014) | VC106<br>Clauses 10 to 19 |
| *Loddon Mallee North Regional Growth Plan* (Victorian Government, 2014) | VC106<br>Clauses 10 to 19 |
| *Loddon Mallee South Regional Growth Plan* (Victorian Government, 2014) | VC106<br>Clauses 10 to 19 |
| *Plan for Victoria* (Department of Transport and Planning, February 2025) | VC283<br>Clauses 10 to 19 |
| *Wimmera Southern Mallee Regional Growth Plan* (Victorian Government, 2014) | VC106<br>Clauses 10 to 19 |

31/07/2018
VC148

# SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0
20/12/2024
C102gpla

## Background documents

| Name of background document | Amendment number - clause reference |
|---|---|
| *Bannockburn Town Centre Investment Strategy* (Connell Wagner, 2008) | C46<br>Clauses 02 and 11 |
| *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021) | C94gpla<br>Clauses 02 and 11 |
| *Bruce's Creek Master Plan* (Land Design Partnership, 2009) | C59<br>Clauses 02 and 11 |
| *Corangamite Catchment Management Authority Floodplain Management Strategy* (Corangamite Catchment Management Authority, April 2002) | Clauses 02, 12, 13 and 19 |
| *Corangamite Regional Catchment Strategy 2021-2027* (Corangamite Catchment Management Authority, 2021) | Clauses 02, 12, 13 and 19 |
| *Corangamite Waterway Strategy* (Corangamite Catchment Management Authority, 2014) | Clauses 02, 12, 13 and 19 |
| *Gheringhap Structure Plan* (Parsons Brinckerhoff, December 2012) | C62<br>Clauses 02 and 11 |
| *Golden Plains Heritage Study Stage 1* (Lorraine Huddle, 2004) | C55<br>Clauses 02 and 15 |
| *Golden Plains Heritage Study Stage 2* (Heritage Matters, 2009) | C55<br>Clauses 02 and 15 |
| *Golden Plains Rural Land Use Strategy* (Parsons Brinckerhoff, 2008) | C40<br>Clauses 02 and 14 |
| *Infrastructure Design Manual* (Local Government Infrastructure Design Association, 2022) | Clauses 02 and 19 |
| *Inverleigh Structure Plan* (Golden Plains Shire, 2019) | C87gpla<br>Clauses 02 and 11 |
| *Northern Settlement Strategy* (Golden Plains Shire, 2019) | C85gpla<br>Clauses 02 and 11 |
| *Review of south east area Golden Plains Shire* (Parsons Brinckerhoff, 2007) | C45<br>Clauses 02 and 11 |
| *Smythesdale Urban Design Framework* (Michael Smith and Associates, March 2006) | C36<br>Clauses 02 and 11 |
| *Strategic Bushfire Risk Assessment for the Bannockburn Growth Plan Investigation Area* (Ecology and Heritage Partners Pty Ltd, August 2020) | C94gpla<br>Clause 11 |
| *Teesdale Structure Plan* (Golden Plains Shire, October 2021) | C92gpla<br>Clause 02 and 11 |

## 73 MEANING OF TERMS

11/04/2019
VC156

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or
- In the *Planning and Environment Act 1987* or the *Interpretation of Legislation Act 1984*, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.

## 73.01 GENERAL TERMS

02/09/2025
VC283

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

| General term | Definition |
|---|---|
| **Act** | The *Planning and Environment Act 1987*. |
| **Agricultural production** | Any form of primary production of renewable commodities. It does not include extractive industry, Mineral extraction, or timber production from native forest. |
| **Anemometer** | A wind measuring device. |
| **Apartment** | A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings. |
| **Approval date** | The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme. |
| **Basement** | A storey below ground level, or that projects no more than 1.2 metres above ground level. |
| **Building height** | The vertical distance from natural ground level to the roof or parapet at any point. |
| **Building Regulations** | The *Building Regulations 1994*. |
| **Carriageway** | The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips. |
| **Central Highlands region** | The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes. |
| **Clear to the sky** | An unroofed area or area roofed with material that transmits 90 per cent of light. |
| **Defendable space** | An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire. |
| **Deflection angle** | The angle between two tangent sections of a carriageway. |
| **Design speed** | The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles. |
| **Domestic services normal to a dwelling 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. |
| **Employment and innovation areas** | Dandenong, Fishermans Bend, La Trobe, Monash, Parkville, Sunshine and Werribee. |

| General term | Definition |
|---|---|
| **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. |
| **Gaming machine** | Has the same meaning as it has in the *Gambling Regulation Act 2003.* |
| **Garden area** | Any area on a lot with a minimum dimension of 1 metre that does not include:<br>a) a dwelling, small second dwelling or residential building, except for:<br>▪ an eave, fascia or gutter that does not exceed a total width of 600mm;<br>▪ a pergola;<br>▪ unroofed terraces, patios, decks, steps or landings less than 800mm in height;<br>▪ a basement that does not project above ground level;<br>▪ any outbuilding that does not exceed a gross floor area of 10 square metres; and<br>▪ domestic services normal to a dwelling, small second dwelling or residential building;<br>b) a driveway; or<br>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:<br>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<br>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. |

| General term | Definition |
|---|---|
| **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. |
| **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 activity centres** | Box Hill (Suburban Rail Loop East Precinct), Broadmeadows, Cloverton (future), Cobblebank (future), Dandenong, Epping, Footscray, Fountain Gate-Narre Warren, Frankston, Ringwood and Sunshine. |
| **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:<br>a) oil shale and coal; and<br>b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes.<br>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. |

| General term | Definition |
|---|---|
| **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:<br>a) used or known to have been used for industry or mining;<br>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<br>c) where a known past or present activity or event (occurring on or off the land) may have cause contamination of the land. |
| **Priority precincts** | Arden, Docklands, East Werribee, Fishermans Bend, Footscray, La Trobe, Parkville, Richmond to Flinders, and Sunshine, and the SRL East Precincts at Box Hill, Burwood, Clayton, Cheltenham, Glen Waverley and Monash. |
| **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 *Conservation, Forests and Lands Act 1987*. |
| **Public land manager** | The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria, the Great Ocean Road Coast and Parks Authority or a municipal council, it means the Minister administering that Act and does not include the committee of management. |
| **Radio mast** | A mast, for radio transmission or reception in a dwelling or small second dwelling, that is:<br>a) with antenna, more than 14 metres above the ground;<br>b) if attached to a building, with antenna, more than 5 metres above the roof line;<br>c) including antenna, wider than 6 metres; or<br>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. |

| General term | Definition |
|---|---|
| **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. |
| **Sustainable agriculture** | The use of farming practices and systems which maintain or enhance:<br>a) the economic viability of agricultural production;<br>b) the natural resource base; and<br>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:<br>a) a lot which does not adjoin another lot in the same ownership; or<br>b) lots in the same ownership and which adjoin each other.<br>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<br>(b) government department; or<br>(c) Administrative Office under the *Public Administration Act 2004*; or<br>(d) public authority; or<br>(e) any person -<br>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: |

| General term | Definition |
|---|---|
| | ▪ Movement networks including cycling paths, footpaths, roads, railways, shipping lanes, tramways and water transport routes.<br>▪ 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.<br>▪ Infrastructure required to operate movement networks and transport interchanges.<br>▪ 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. |
| **Verge** | The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting. |
| **Wall height** | The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level. |
| **Wholesale** | The sale of goods or materials, to be sold by others. |
| **Wimmera Southern Mallee region** | The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes. |

73.02
31/07/2018
VC148

## 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.<br>It does not include safety devices, platforms and lighting structures.<br>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:<br>a) on a pole or pylon that is not part of a building or another structure;<br>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<br>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:<br>a) on or above the roof of a building, but not a verandah;<br>b) fixed to the wall of a building and which projects above the wall; or<br>c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground. |

## 73.03 LAND USE TERMS

21/08/2025
VC279

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

### Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

### No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

### Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

### Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

### Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

### Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

### Table to Clause 73.03

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| **Abattoir** | Land used to slaughter animals, including birds. It may include the processing of animal products. | | **Rural industry** |
| **Accommodation** | Land used to accommodate persons. | **Camping and caravan park** | |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | | **Corrective institution**<br>**Dwelling**<br>**Group accommodation**<br>**Host farm**<br>**Residential aged care facility**<br>**Residential building**<br>**Residential village**<br>**Retirement village**<br>**Small second dwelling** | |
| **Adult sex product shop** | Land used to sell or hire sexually explicit material, including:<br>a) publications classified as restricted under the *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995*; and<br>b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour. | | **Shop** |
| **Agriculture** | Land used to:<br>a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;<br>b) keep, breed, board, or train animals, including livestock, and birds; or<br>c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters. | **Animal husbandry**<br>**Aquaculture**<br>**Crop raising** | |
| **Airport** | | | **Transport terminal** |
| **Amusement park** | | | **Outdoor recreation facility** |
| **Amusement parlour** | A building that contains:<br>a) three or more coin, card, or token operated amusement machines; | | **Place of assembly** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or<br>c) two or more coin, card, or token operated billiard, snooker, or pool tables.<br>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**<br>**Animal training**<br>**Apiculture**<br>**Domestic animal husbandry**<br>**Horse husbandry**<br>**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**<br>**Intensive animal production**<br>**Pig farm**<br>**Poultry farm**<br>**Poultry hatchery** | **Animal husbandry** |
| **Animal training** | Land used to train animals, other than domestic animals, horses, or racing dogs. | | **Animal husbandry** |
| **Apiculture** | Land used to keep honeybee hives and to extract honey or other bee hive products. | | **Animal husbandry** |
| **Aquaculture** | Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants. | | **Agriculture** |
| **Art and craft centre** | Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures. | | |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| **Art gallery** | Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles. | | **Exhibition centre** |
| **Automated collection point** | A building with a gross floor area of no more than 100 square metres, used as an automated collection point as defined in the *Circular Economy (Waste Reduction and Recycling) Act 2021*. | | **Transfer station** |
| **Bank** | | | **Office** |
| **Bar** | Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling. | | **Food and drink premises** |
| **Beauty salon** | | | **Shop** |
| **Bed and breakfast** | A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence. | | **Dwelling** |
| **Betting agency** | Land used for gambling by wagering, and where there is the ability to receive a monetary reward. | | **Gambling premises** |
| **Boat and caravan storage** | Land used to store boats, caravans, or vehicle-towed boat trailers. | | **Store** |
| **Boat launching facility** | Land used to launch boats into the water and to retrieve boats from the water. | **Boat ramp slipway** | **Recreational boat facility** |
| **Boat ramp** | | | **Boat launching facility** |
| **Bottle shop** | Land used to sell packaged liquor for consumption off the premises. | | **Shop** |
| **Broiler farm** | Land used to keep broiler chickens for the production of meat. | | **Poultry farm** |
| **Bus terminal** | | | **Transport terminal** |
| **Camping and caravan park** | Land used to allow accommodation in caravans, cabins, tents, or the like. | | **Accommodation** |

| 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** |

| 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 *Circular Economy (Waste Reduction and Recycling) Act 2021*. The centre may incorporate a reverse vending machine, automated collection point, drop off point and over the counter refunds. | | **Transfer station** |
| **Convenience restaurant** | Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises. | | **Food and drink premises** |
| **Convenience shop** | A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods. | | **Shop** |
| **Corrective institution** | Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility. | | **Accommodation** |
| **Crematorium** | Land used to cremate human remains. It may include funeral chapels or the like. | | |
| **Crop raising** | Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables. | **Horticulture**<br>**Rice growing**<br>**Timber production** | **Agriculture** |
| **Dance studio** | | | **Indoor recreation facility** |
| **Data centre** | | | **Utility installation** |
| **Department store** | | | **Shop** |

| 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**<br>**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:<br>a) a kitchen sink;<br>b) food preparation facilities;<br>c) a bath or shower; and<br>d) a toilet and wash basin.<br>It includes outbuildings and works normal to a dwelling. | **Bed and breakfast**<br>**Caretaker's house** | **Accommodation** |
| **Education centre** | Land used for education. | **Child care centre**<br>**Employment training centre**<br>**Primary school**<br>**Secondary school**<br>**Tertiary institution** | |

| 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**<br>**Greenhouse gas sequestration**<br>**Greenhouse gas sequestration exploration**<br>**Geothermal energy exploration**<br>**Geothermal energy extraction**<br>**Mining**<br>**Mineral exploration**<br>**Petroleum exploration**<br>**Petroleum production**<br>**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**<br>**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**<br>**Museum** | **Place of assembly** |

| 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.<br>It includes:<br>▪ the rehabilitation of the land; and<br>▪ 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**<br>**Convenience restaurant**<br>**Hotel**<br>**Restaurant**<br>**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**<br>**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**<br>**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**<br>**Gaming premises** | **Retail premises** |

| 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 Geothermal *Energy Resources Act 2005.* | | **Earth and energy resources industry** |
| **Geothermal energy extraction** | Land used for geothermal energy extraction as defined in the Geothermal *Energy Resources Act 2005.* | | **Earth and energy resources industry** |
| **Golf course** | | | **Outdoor recreation facility** |
| **Golf driving range** | | | **Outdoor recreation facility** |
| **Grazing animal production** | Land used for animal production where the animals' food is obtained by directly grazing, browsing or foraging plants growing on the land.<br>It includes:<br>▪ emergency, seasonal and supplementary feeding;<br>▪ the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.<br>In this definition:<br>*Emergency feeding* means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;<br>*Seasonal feeding* means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land; | | **Animal production** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | *Supplementary feeding* means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land. | | |
| **Greenhouse gas sequestration** | Land used for greenhouse gas substance injection and monitoring as defined in the *Greenhouse Gas Geological Sequestration Act 2008.* | | **Earth and energy resources industry** |
| **Greenhouse gas sequestration exploration** | Land used for greenhouse gas sequestration formation exploration as defined in the *Greenhouse Gas Geological Sequestration Act 2008.* | | **Earth and energy resources industry** |
| **Group accommodation** | Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence. | | **Accommodation** |
| **Hairdresser** | | | **Shop** |
| **Hall** | | | **Place of assembly** |
| **Helicopter landing site** | Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers. | | |
| **Heliport** | | | **Transport terminal** |
| **Home based business** | An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere. | | |
| **Horse husbandry** | Land used to keep, breed, board or train horses. | **Horse riding school**<br>**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** |

| 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:<br>a) any process of manufacture;<br>b) dismantling or breaking up of any article;<br>c) treating waste materials;<br>d) winning clay, gravel, rock, sand, soil, stone, or other materials;<br>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or<br>f) any process of testing or analysis.<br>If on the same land as any of these operations, it also includes:<br>a) storing goods used in the operation or resulting from it;<br>b) providing amenities for people engaged in the operation;<br>c) selling by wholesale, goods resulting from the operation; and<br>d) accounting or administration in connection with the operation. | **Materials recycling**<br>**Refuse disposal**<br>**Transfer station**<br>**Research and development centre**<br>**Rural industry**<br>**Service industry** | |

| 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.<br>It does not include:<br>▪ an abattoir or sale yard; or<br>▪ grazing animal production, pig farm, poultry farm or poultry hatchery. | **Cattle feedlot**<br>**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**<br>**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**<br>**Minor sports and recreation facility**<br>**Motor racing track** | |
| **Library** | | | **Place of assembly** |
| **Liquid fuel depot** | Land used to store, sell by wholesale, and distribute fuel. | | **Fuel depot** |

| 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**<br>**Mooring pole**<br>**Pier**<br>**Pontoon** | **Recreational boat facility** |
| **Market** | Land used to sell goods, including foodstuffs, from stalls. | | **Retail premises** |
| **Market garden** | | | **Horticulture** |
| **Materials recycling** | Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials. | | **Industry** |
| **Medical centre** | Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only. | | **Office** |
| **Milk depot** | Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised. | | **Warehouse** |
| **Mineral exploration** | Land used for exploration as defined in the *Mineral Resources (Sustainable Development) Act 1990.* | | **Earth and energy resources industry** |
| **Mining** | Land used for mining as defined in the *Mineral Resources (Sustainable Development) Act 1990.* | | **Earth and energy resources industry** |
| **Minor sports and recreation facility** | Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators. | **Indoor recreation facility** | **Leisure and recreation** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | | **Informal outdoor recreation**<br>**Open sports ground**<br>**Outdoor recreation facility**<br>**Restricted recreation facility** | |
| **Minor utility installation** | Land used for a utility installation comprising any of the following:<br>a) sewerage or water mains;<br>b) storm or flood water drains or retarding basins;<br>c) flow measurement device or a structure to gauge waterway flow;<br>d) siphons, water storage tanks, disinfection booster stations and channels;<br>e) gas mains providing gas directly to consumers;<br>f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood;<br>g) a pumping station required to serve a neighbourhood;<br>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;<br>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<br>j) a battery with a storage capacity of no more than 5 megawatts. | **Water retarding basin** | **Utility installation** |
| **Mooring pole** | | | **Marina** |
| **Motel** | Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms. | | **Residential hotel** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| **Motor racing track** | Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training. | | **Leisure and recreation** |
| **Motor repairs** | Land used to repair or service motor vehicles, and includes the fitting of accessories. | **Panel beating** | **Service industry** |
| **Motor vehicle, boat, or caravan sales** | Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories. | **Car sales** | **Retail premises** |
| **Museum** | Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts. | | **Exhibition centre** |
| **Natural systems** | Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance. | | |
| **Nightclub** | A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming. | | **Place of assembly** |
| **Office** | Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use. | **Bank**<br>**Electoral office**<br>**Electorate office**<br>**Medical centre**<br>**Real estate agency**<br>**Travel agency** | |
| **Open sports ground** | Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters. | | **Minor sports and recreation facility** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| **Outdoor recreation facility** | Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation. | **Amusement park**<br>**Golf course**<br>**Golf driving range**<br>**Paintball games facility**<br>**Zoo** | **Minor sports and recreation facility** |
| **Paintball games facility** | | | **Outdoor recreation facility** |
| **Panel beating** | Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting. | | **Motor repairs** |
| **Party supplies** | | | **Restricted retail premises** |
| **Petroleum exploration** | Land used for petroleum exploration as defined in the *Petroleum Act 1998.* | | **Earth and energy resources industry** |
| **Petroleum production** | Land used for petroleum production as defined in the *Petroleum Act 1998.* | | **Earth and energy resources industry** |
| **Pier** | | | **Marina** |
| **Pig farm** | Land used to keep or breed pigs. | | **Animal production** |
| **Place of assembly** | Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings. | **Amusement parlour**<br>**Carnival**<br>**Cinema**<br>**Cinema-based entertainment facility**<br>**Circus**<br>**Drive-in theatre**<br>**Exhibition centre**<br>**Function centre**<br>**Hall**<br>**Library**<br>**Nightclub**<br>**Place of worship**<br>**Restricted place of assembly** | |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| **Place of worship** | Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple. | | **Place of assembly** |
| **Plant nursery** | Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products. | | **Landscape gardening supplies** |
| **Pontoon** | | | **Marina** |
| **Postal agency** | | | **Retail premises** |
| **Poultry farm** | Land used to keep or breed poultry. | **Broiler farm** | **Animal production** |
| **Poultry hatchery** | Land used to incubate and hatch poultry eggs. | | **Animal production** |
| **Primary produce sales** | Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce. | | **Retail premises** |
| **Primary school** | | | **Education centre** |
| **Race course** | | | **Major sports and recreation facility** |
| **Racing dog husbandry** | Land used to keep, breed, board or train racing dogs. | **Racing dog training** | **Animal husbandry** |
| **Racing dog training** | | | **Racing dog husbandry** |
| **Railway station** | Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services. | | **Transport terminal** |
| **Real estate agency** | | | **Office** |
| **Reception centre** | | | **Function centre** |
| **Recreational boat facility** | Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation. | **Boat launching facility**<br>**Marina** | |
| **Refuse disposal** | Land used to dispose of refuse, by landfill, incineration, or other means. | | **Industry** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| **Renewable energy facility** | Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat.<br>It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource.<br>It does not include a renewable energy facility principally used to supply energy for an existing use of the land. | **Wind energy facility**<br>**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**<br>**Residential hotel**<br>**Rooming house**<br>**Rural worker accommodation** | **Accommodation** |
| **Residential hotel** | Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference | **Motel** | **Residential building** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | 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:<br>a) entertainment and dancing; and<br>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.<br>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:<br>a) automotive parts and accessories;<br>b) camping, outdoor and recreation goods<br>c) electric light fittings;<br>d) animal supplies including equestrian and pet goods;<br>e) floor and window coverings; | **Equestrian supplies**<br>**Party supplies** | **Shop** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | f) furniture, bedding, furnishings, fabric and manchester and homewares;<br>g) household appliances, household electrical goods and home entertainment goods;<br>h) party supplies;<br>i) swimming pools;<br>j) office equipment and supplies;<br>k) baby and children's goods, children's play equipment and accessories;<br>l) sporting, cycling, leisure, fitness goods and accessories; or<br>m) goods and accessories which:<br>▪ Require a large area for handling, display and storage of goods; or<br>▪ 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.<br>It does not include the sale of food, clothing and footwear unless ancillary to the primary use. | | |
| **Retail premises** | Land used to:<br>a) sell goods by retail, or by retail and wholesale;<br>b) sell services; or<br>c) hire goods. | **Food and drink premises**<br>**Gambling premises**<br>**Landscape gardening supplies**<br>**Manufacturing sales**<br>**Market**<br>**Motor vehicle, boat, or caravan sales**<br>**Postal agency**<br>**Primary produce sales**<br>**Shop**<br>**Trade supplies** | |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| **Retirement village** | Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village. | | **Accommodation** |
| **Rice growing** | | | **Crop raising** |
| **Road freight terminal** | | | **Transport terminal** |
| **Rooming house** | Land used for a rooming house as defined in the *Residential Tenancies Act 1997*. | | **Residential building** |
| **Rural industry** | Land used to:<br>a) handle, treat, process, or pack agricultural produce;<br>b) service or repair plant, or equipment, used in agriculture; or<br>c) manufacture mud bricks. | **Abattoir**<br>**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**<br>**Dry cleaner**<br>**Motor repairs** | **Industry** |
| **Service station** | Land used to sell motor vehicle fuel from bowsers or charge electric vehicles. It may include the:<br>a) selling of motor vehicle lubricants, accessories or parts;<br>b) selling of food, drinks and other convenience goods;<br>c) hiring of trailers; | | |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | d) servicing or washing of motor vehicles; and<br>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.<br>It does not include:<br>▪ 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.<br>▪ 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:<br>▪ the selling of bread, pastries, cakes or other products baked on the premises;<br>▪ demonstrations of products including music performances in shops selling recorded music.<br>It does not include:<br>▪ food and drink premises;<br>▪ gambling premises;<br>▪ landscape gardening supplies;<br>▪ manufacturing sales;<br>▪ market; | **Adult sex product shop**<br>**Beauty salon**<br>**Bottle shop**<br>**Convenience shop**<br>**Dry cleaning agent**<br>**Department store**<br>**Hairdresser**<br>**Laundromat**<br>**Restricted retail premises**<br>**Sex services premises** | **Retail premises** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | ▪ motor vehicle, boat, or caravan sales;<br>▪ postal agency;<br>▪ primary produce sales; or<br>▪ 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:<br>a) a kitchen sink;<br>b) food preparation facilities;<br>c) a bath or shower; and<br>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.<br>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:<br>a) conducting geological, geophysical, and geochemical surveys;<br>b) costeaning and bulk sampling;<br>c) drilling; and<br>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**<br>**Freezing and cool storage** | **Warehouse** |

| Land use term | Definition | Includes | Included in |
|---|---|---|---|
| | | **Rural store**<br>**Shipping container storage**<br>**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:<br>a) automotive repairs and servicing;<br>b) building;<br>c) commerce;<br>d) industry;<br>e) landscape gardening;<br>f) the medical profession;<br>g) primary production; or | **Timber yard** | **Retail premises** |

| 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**<br>**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**<br>**Bus terminal**<br>**Heliport**<br>**Railway station**<br>**Road freight terminal**<br>**Wharf** | |
| **Travel agency** | | | **Office** |
| **Utility installation** | Land used:<br>a) for telecommunications;<br>b) to transmit or distribute gas or oil;<br>c) to transmit, distribute or store power;<br>d) to collect, treat, transmit, store, or distribute water; or<br>e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.<br>It includes any associated flow measurement device or a structure to gauge waterway flow. | **Data centre**<br>**Minor utility installation**<br>**Reservoir**<br>**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:<br>a) diagnose animal diseases or disorders;<br>b) surgically or medically treat animals; or<br>c) prevent animal diseases or disorders. | | |

| 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**<br>**Fuel depot**<br>**Mail centre**<br>**Milk depot**<br>**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:<br>a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force<br>b) an anemometer.<br>It does not include turbines principally used to supply electricity for domestic or rural use of the land. | | **Renewable energy facility** |
| **Winery** | Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises. | | |
| **Zoo** | | | **Outdoor recreation facility** |

## 73.04 NESTING DIAGRAMS

08/08/2019
VC159

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

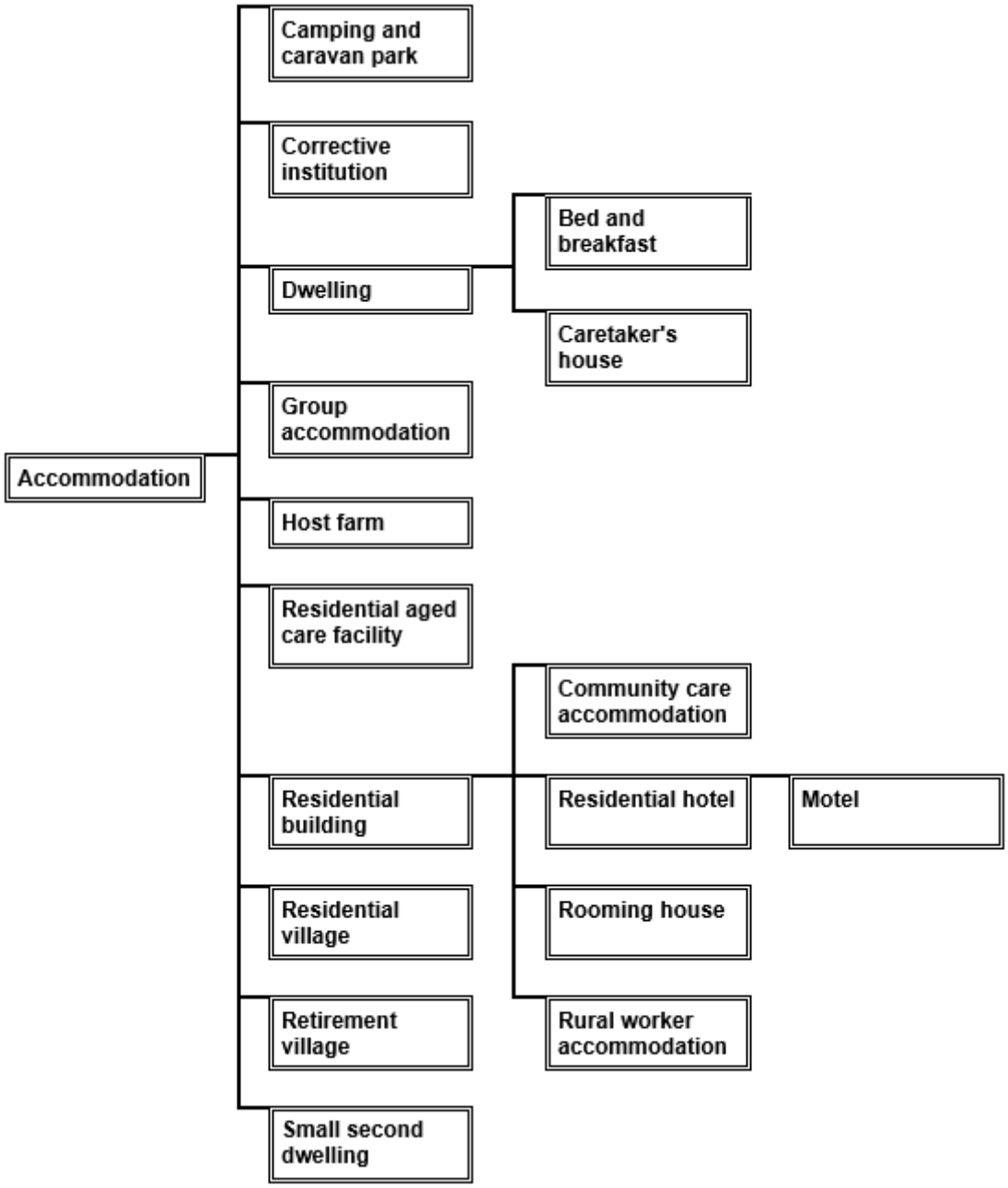
The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

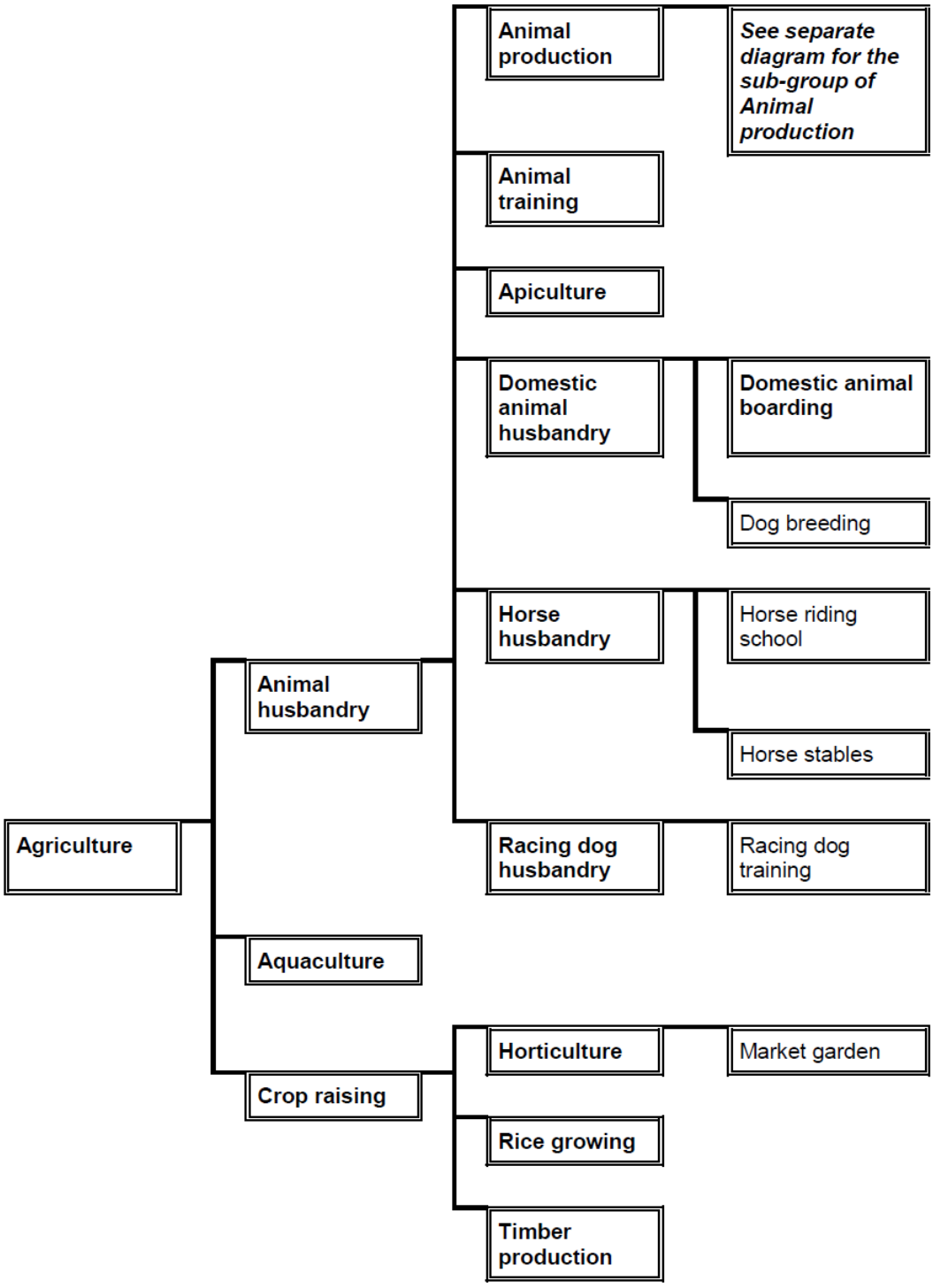
### 73.04-1 Accommodation group

14/12/2023
VC253



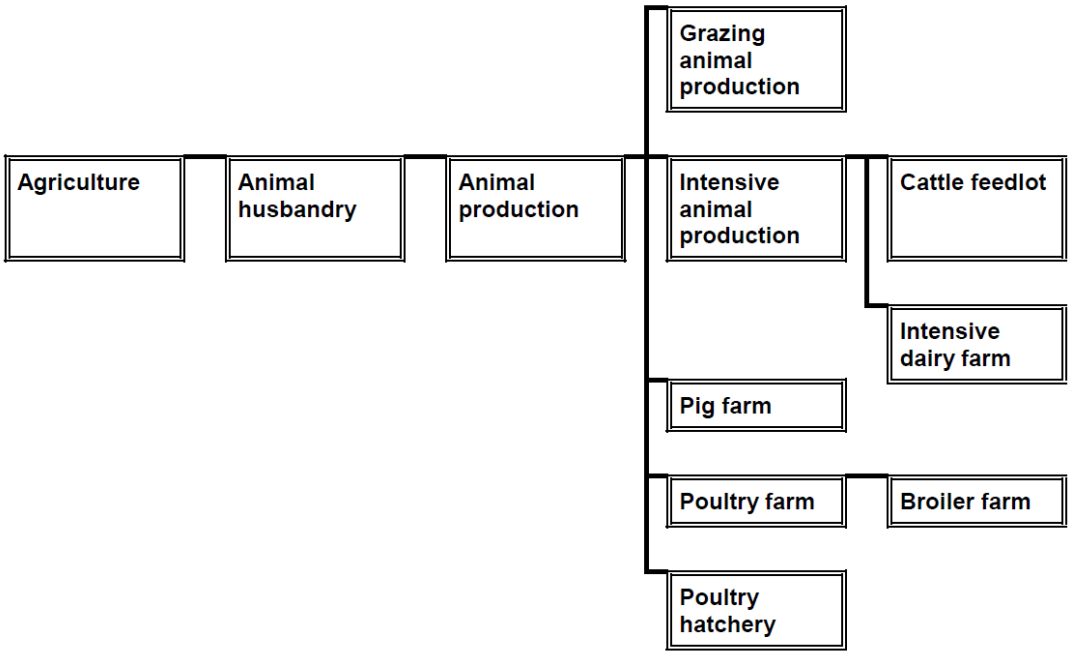
## 73.04-2 Agriculture group

08/08/2019
VC159



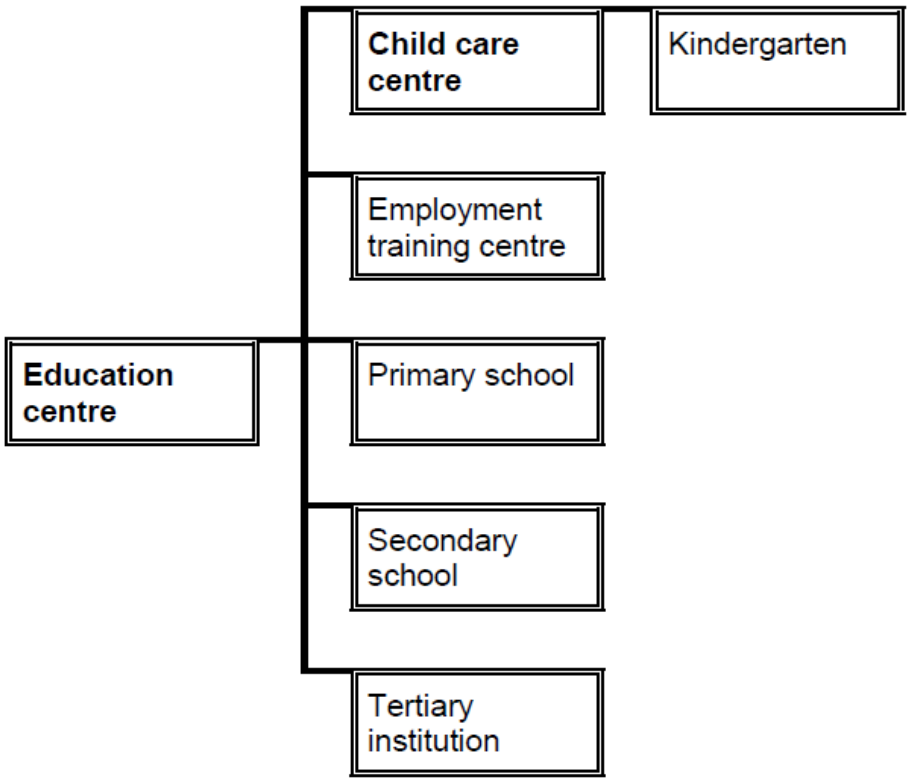
## 73.04-3 Agriculture group (sub-group of Animal production)

24/01/2020
VC160



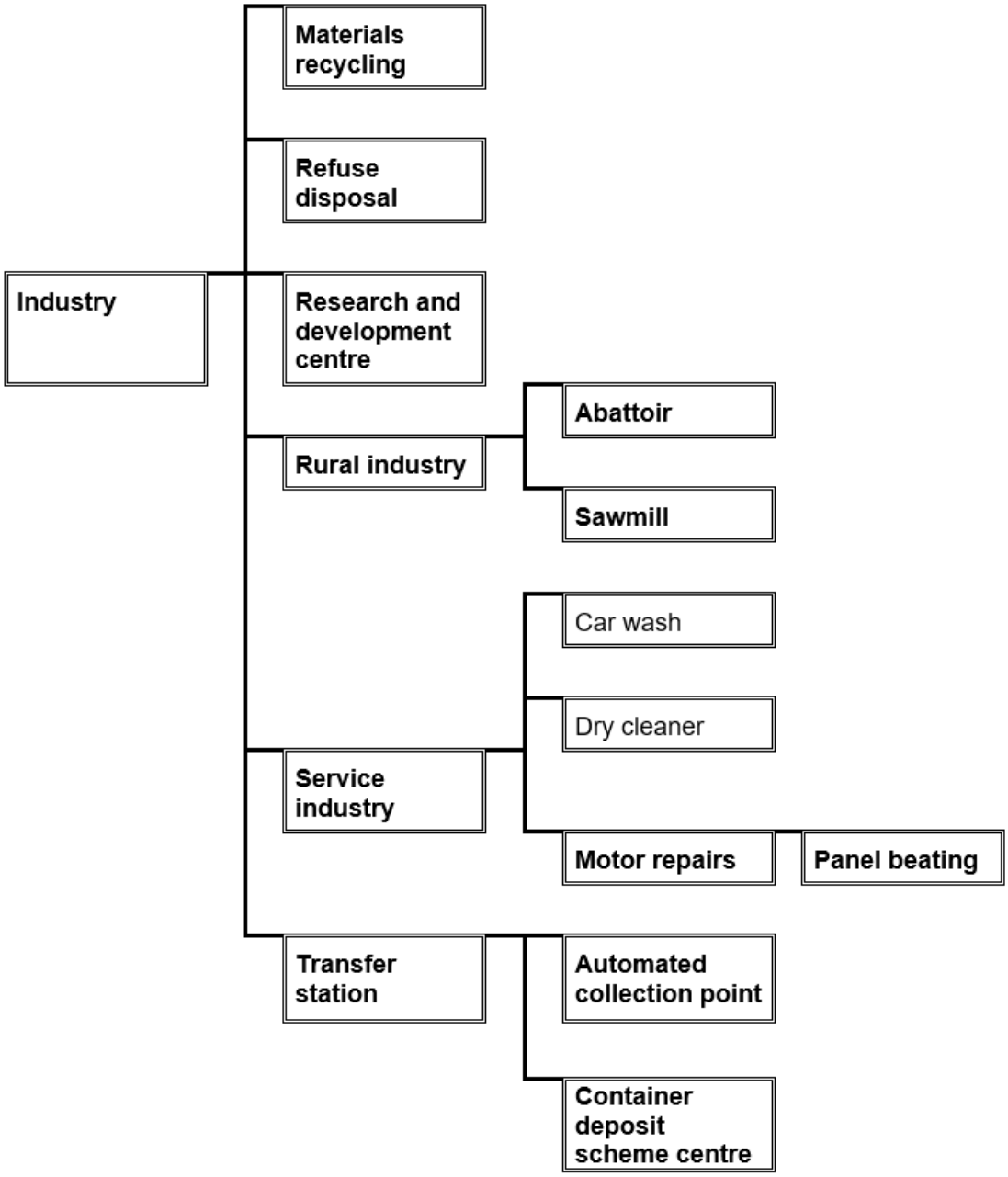

## 73.04-4 Education centre group

24/01/2020
VC160



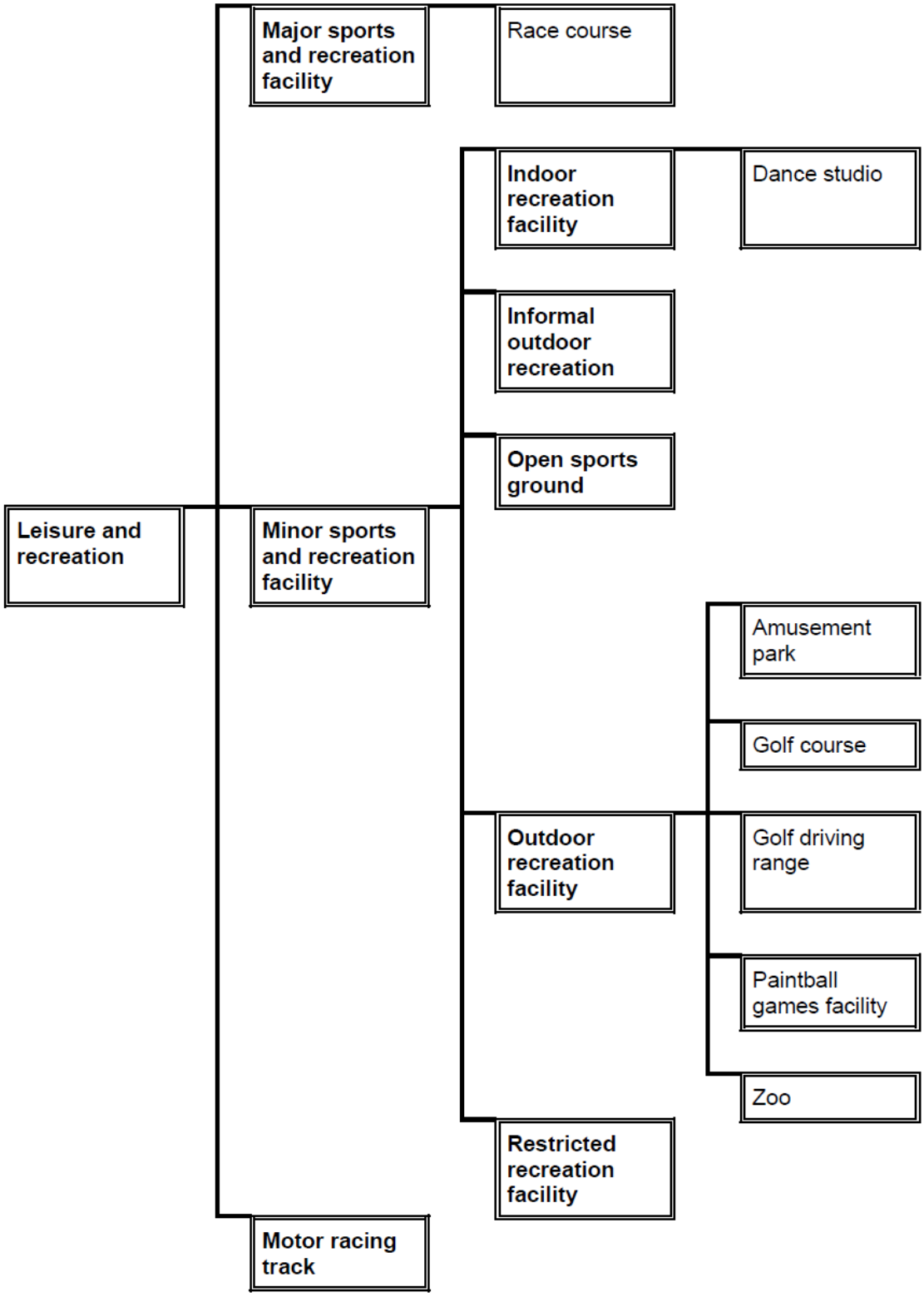
## 73.04-5 Industry group

26/09/2023
VC246



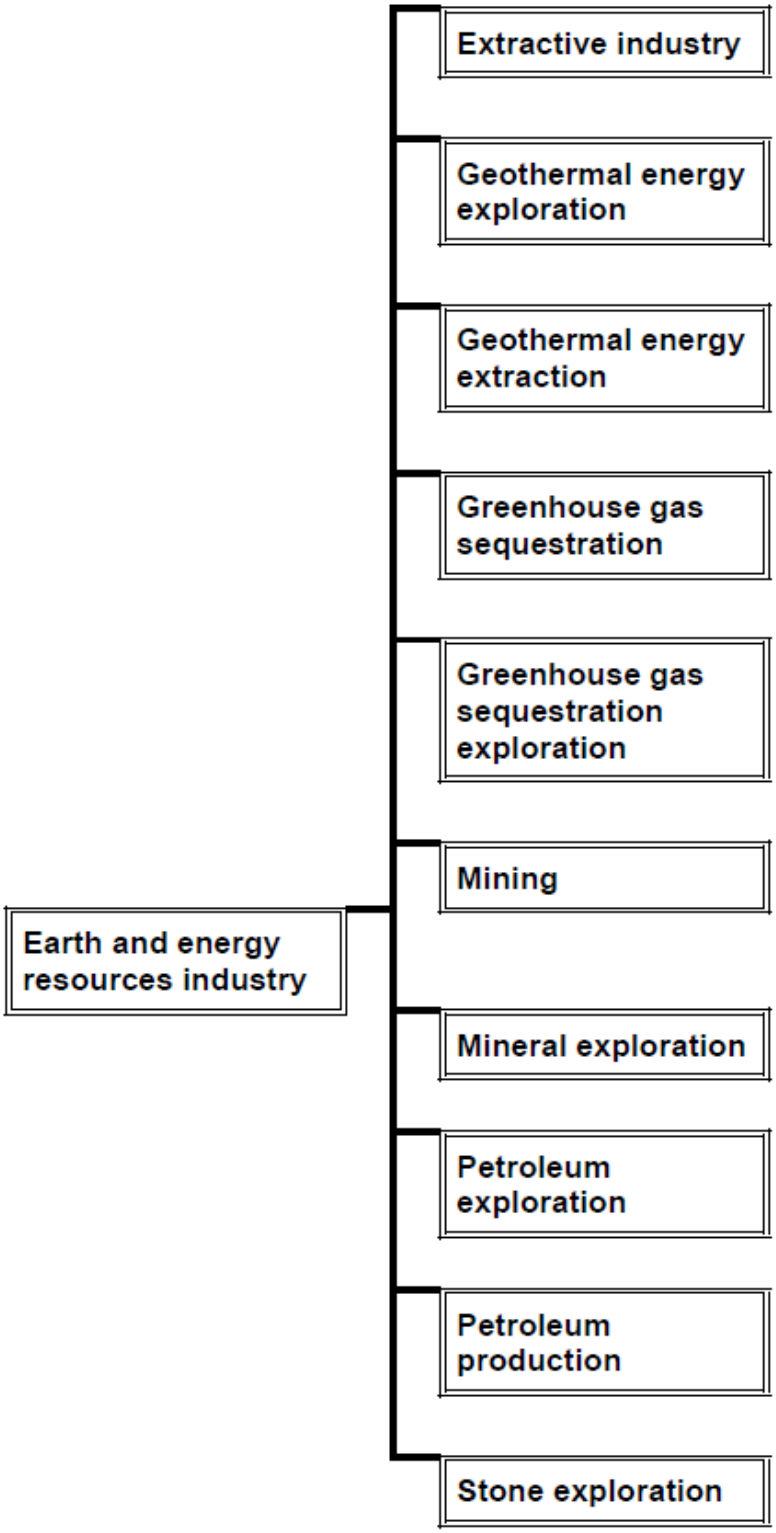
## 73.04-6 Leisure and recreation group

16/08/2019
VC163



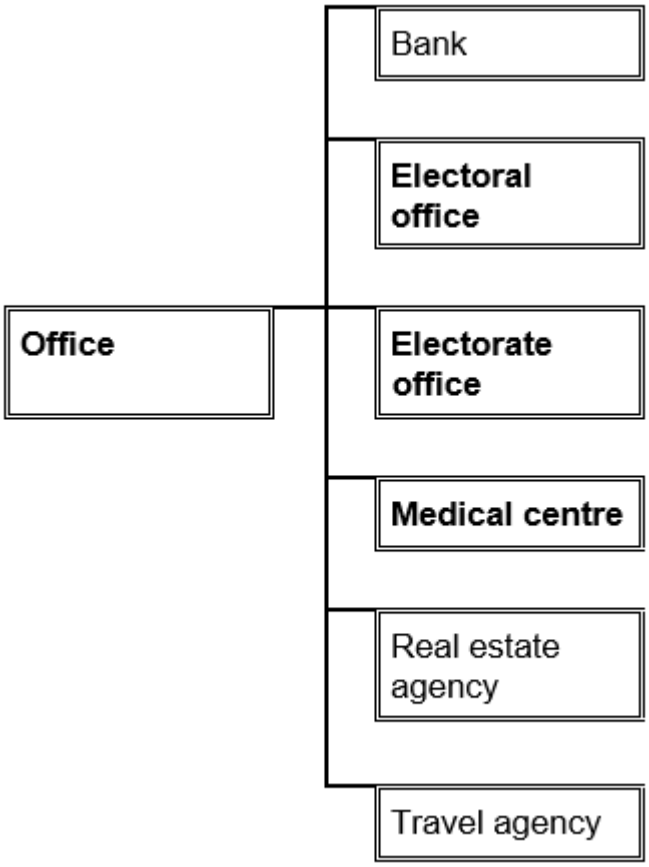
## 73.04-7 Earth and energy resources group

24/01/2020
VC160



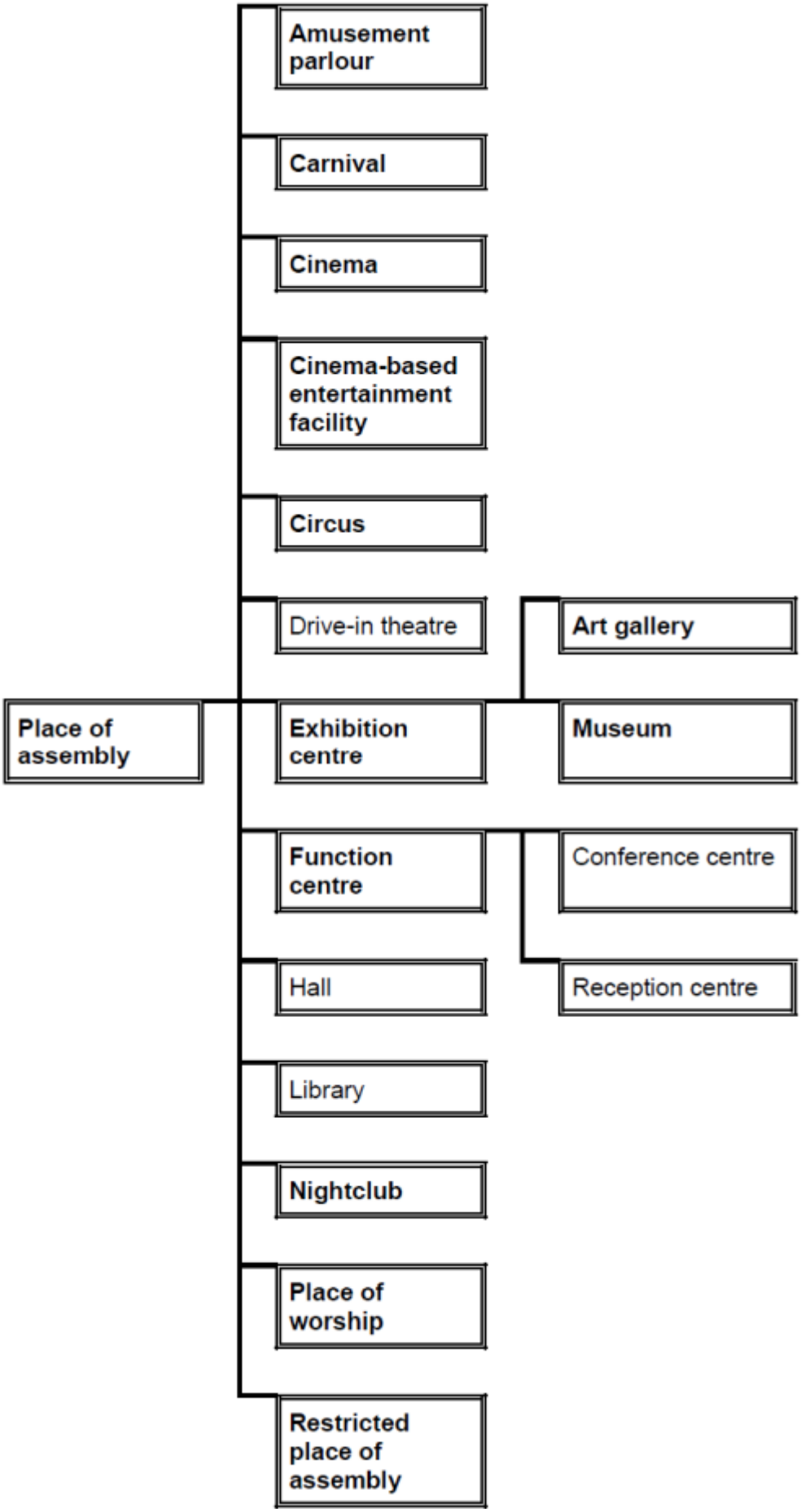
## 73.04-8 Office group

28/10/2022
VC224



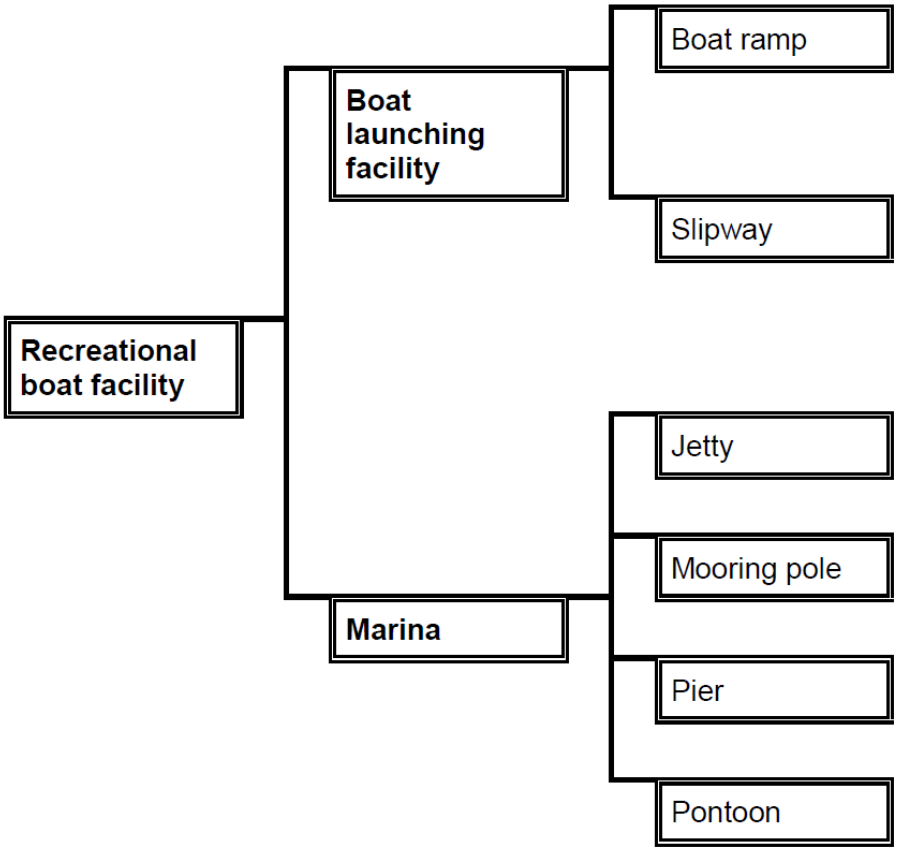
## 73.04-9 Place of assembly group

16/08/2019
VC163



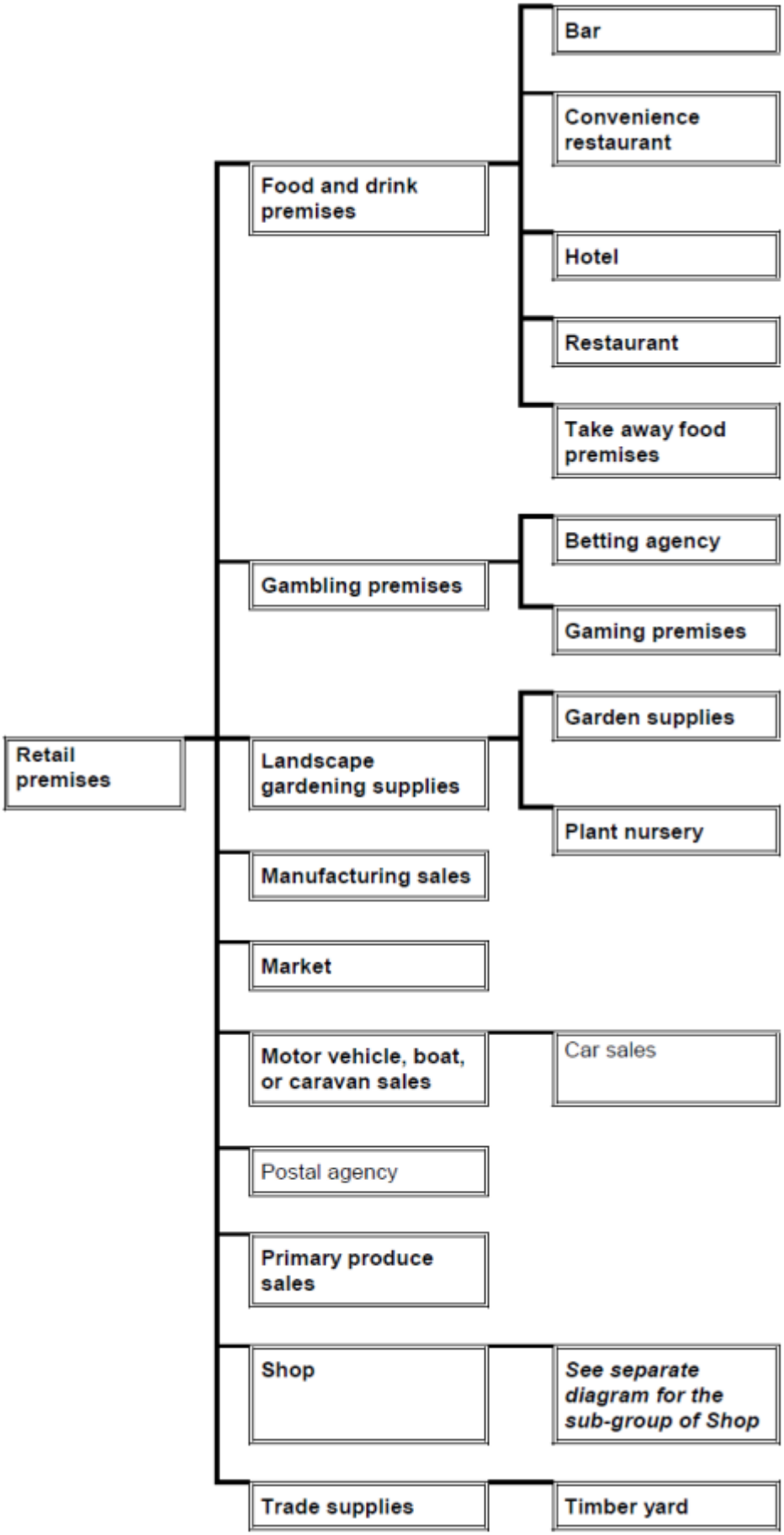
## 73.04-10 Recreational boat facility group

24/01/2020
VC160



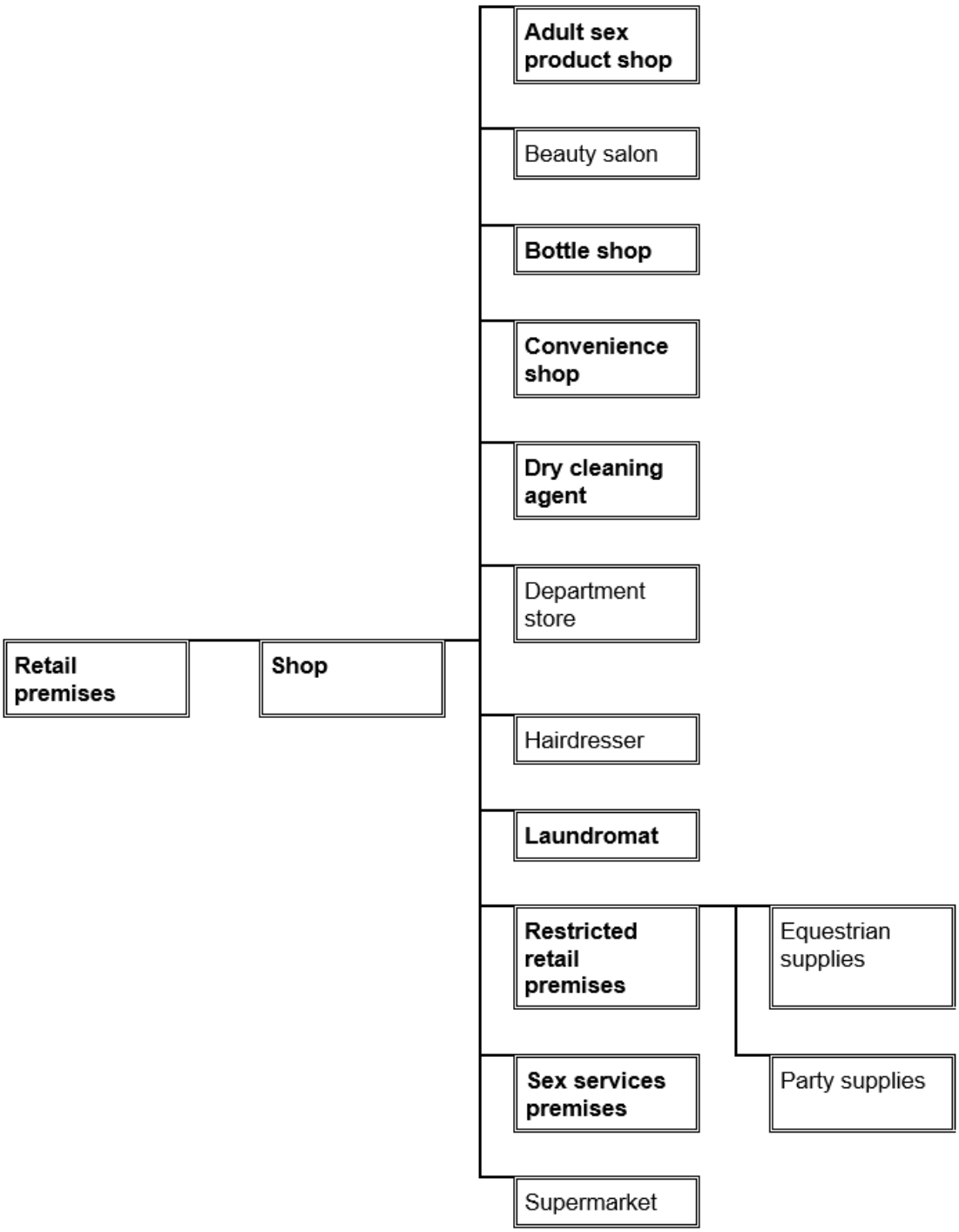
## 73.04-11 Retail premises group

16/08/2019
VC163



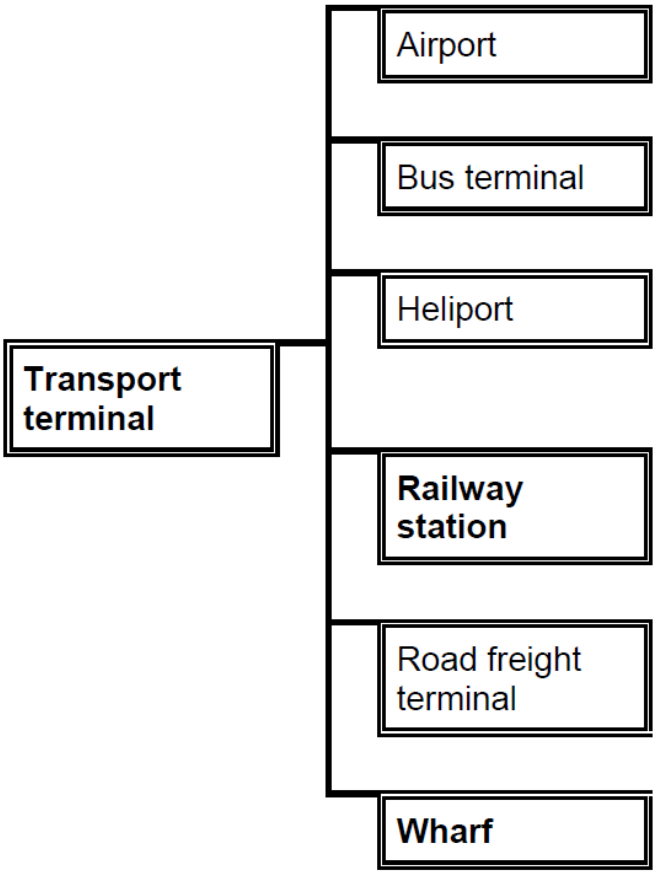
## 73.04-12 Retail premises group (sub-group of Shop)

01/12/2023
VC217



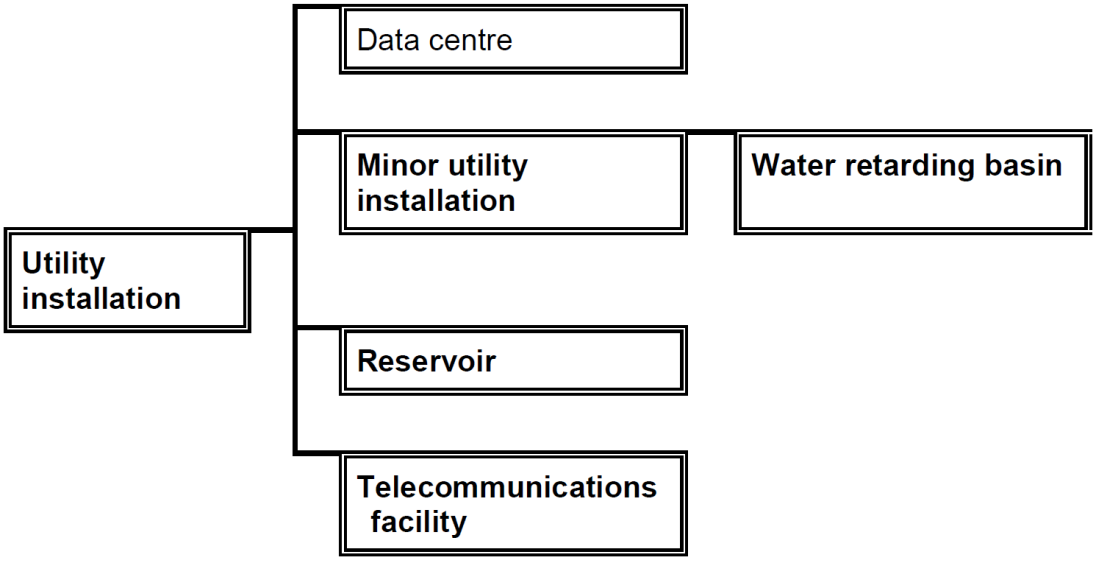
## 73.04-13 Transport terminal group

24/01/2020
VC160



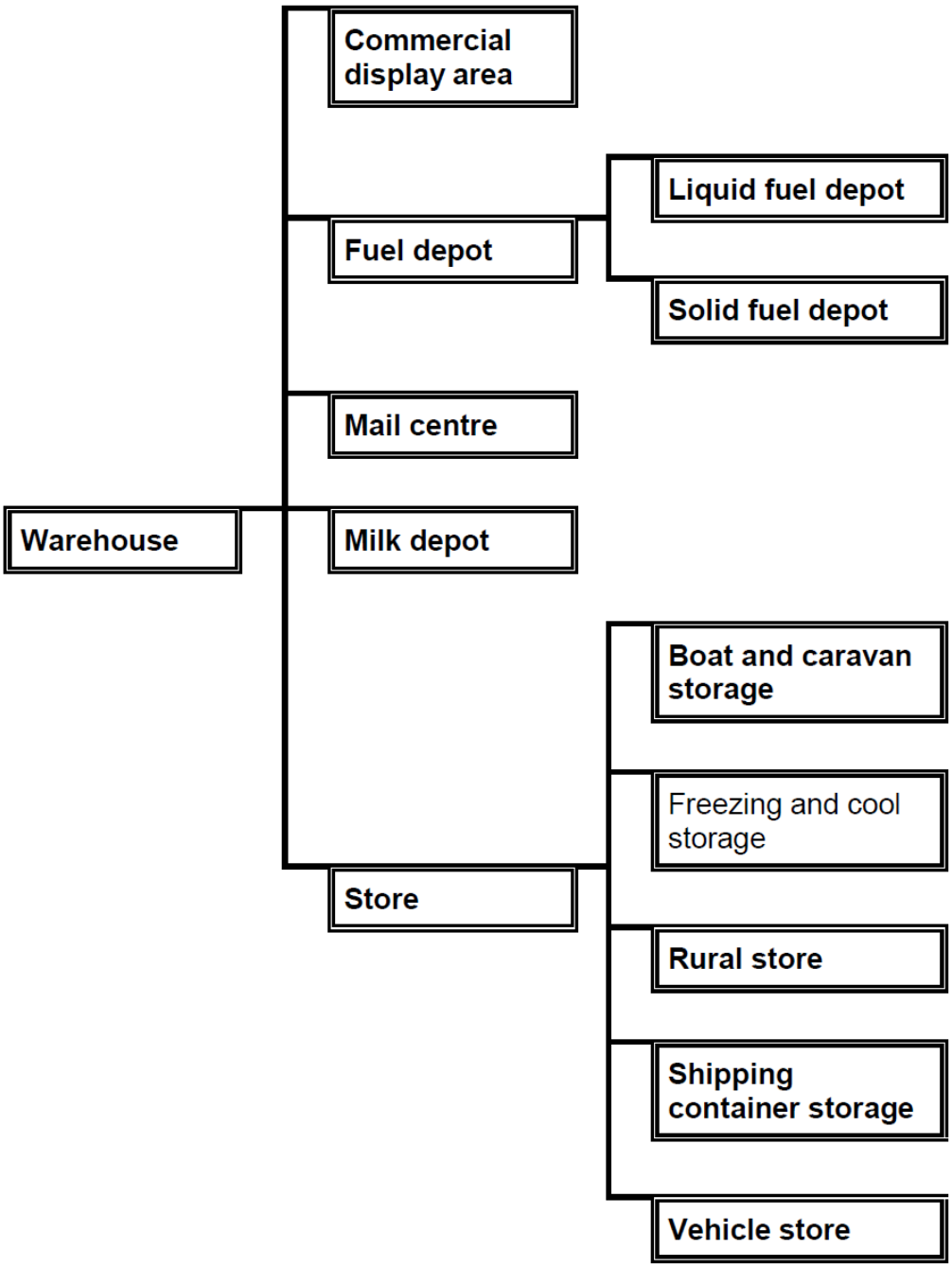

## 73.04-14 Utility installation group

08/08/2019
VC159



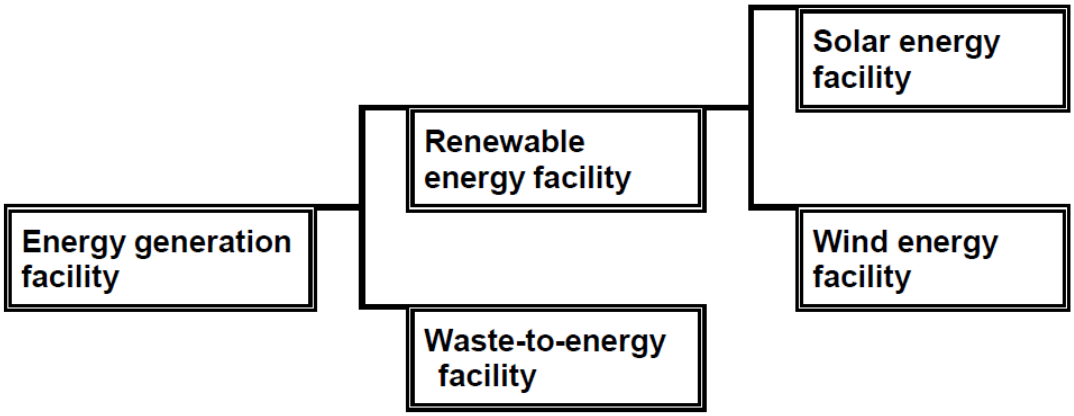
## 73.04-15 Warehouse group

24/01/2020
VC160



## 73.04-16 Energy Group

24/01/2020
VC160



## 73.04-17 Land use terms that are not nested

01/12/2023
VC217

**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 STRATEGIC IMPLEMENTATION

31/07/2018
VC148

## 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

31/07/2018
VC148

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

09/07/2020
C90gpla

# SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

## 1.0 Application of zones, overlays and provisions

20/12/2024
C102gpla

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:

- General Residential Zone to:
  - sewered residential areas.
  - established and proposed residential areas.
- Low Density Residential Zone:
  - with minimum lot sizes to short, medium and longer term growth areas, as indicated on the Inverleigh Structure Plan.
  - to residential areas in and around the major towns.
- Rural Living Zone to existing rural residential areas on larger allotments.
- Commercial 1 Zone to:
  - commercial precincts.
  - commercial areas within the Bannockburn Town Centre.
  - commercial areas in larger townships.
- Commercial 2 Zone in Smythesdale.
- Township Zone:
  - to facilitate appropriate commercial development smaller townships.
  - for smaller townships where the separation of land uses is not critical to the function of the town.
  - within the Bannockburn Town Centre for mixed use development.
- Rural Activity Zone to designated areas in the Moorabool Valley.
- Farming Zone:
  - to the majority of broad acre agricultural land.
  - to all agricultural land developed for plantations.
  - schedule with a 100 hectare minimum subdivision size, to prevent the fragmentation of agricultural land and ensure that lots that are created are suited to broad scale agriculture.
- Rural Conservation Zone to areas with biodiversity values that should be protected.
- Industrial 1 Zone to existing industrial precincts.
- Bushfire Management Overlay to areas identified by the Country Fire Authority and the responsible authority as subject to fire hazard.
- Design and Development Overlay to:
  - land within the Willow Brae Development.
  - the Bannockburn Town Centre.
  - low density residential development.
- Development Plan Area Overlay:
  - for large undeveloped areas zoned for urban development.
- Environmental Significance Overlay to:

- areas of identified environmental importance.

- water catchment areas, watercourses, Enfield State Park, Mt Misery Creek, two areas at Dereel, Smythesdale, Yarrowee Creek.

- Floodway Overlay and Land Subject to Inundation Overlay to:

  - areas subject to inundation within Smythesdale.

  - floodplains and areas subject to inundation within Inverleigh as identified in the mapping undertaken by the Corangamite Catchment Management Authority.

- Floodway Overlay to areas subject to high velocity flooding.
- Heritage Overlay to buildings, places and precincts of identified heritage value as listed in the Schedule to the Heritage Overlay.
- Land Subject to Inundation Overlay to areas subject to inundation.
- Salinity Management Overlay to areas identified as being subject to the effects of salinity.
- Significant Landscape Overlay to various landscapes, avenues of honour and settings across the Golden Plains municipality that are of natural significance.
- Vegetation Protection Overlay to areas of identified flora and fauna importance.

## 74.02 FURTHER STRATEGIC WORK

31/07/2018
VC148

The schedule to this clause may specify the planning authority's approach to further strategic work.

A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

09/07/2020
C90gpla

# SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0
20/12/2024
C102gpla

## Further strategic work

- Prepare a local policy to protect farming land from inappropriate land uses and to guide dwellings and subdivision in the Farming Zone.
- Prepare a Design and Development Overlay as part of any future rezoning to rezone the area north of Heales Street and adjacent to the Brooke Street in Smythesdale from Township Zone to Commercial 1 Zone to provide for expansion of the commercial area.
- Prepare precinct structure plans in conjunction with rezoning land to facilitate urban development in the south east and south west precincts identified on the *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021).
- Prepare a development plan in conjunction with rezoning land to facilitate urban development in the north west development plan area identified on the *Bannockburn Growth Plan* (Victorian Planning Authority, May 2021).
- Investigate a second east-west arterial road for Bannockburn with the dual purpose of servicing the growth area and re-routing through-freight vehicles out of the town centre.
- Investigate additional crossing points over Bruce's Creek to facilitate east-west movement across Bannockburn.
- Investigate modifications to High Street through the town centre to create a streetscape that is responsive to pedestrian and cycling needs and which discourages through-freight vehicle movements.
- Investigate growth opportunities in Haddon and Cambrian Hill.
- Review the *Smythesdale Urban Design Framework* (Michael Smith and Associates, March 2006).
- Undertake the following assessment work within the Teesdale Future Growth Investigation Area prior to rezoning:
  - Land supply and demand analysis for the township and in the context of the wider municipality,
  - Biodiversity including native vegetation,
  - Bushfire risk,
  - Flooding impact,
  - Drainage infrastructure,
  - Sewer servicing,
  - Community and social infrastructure in the context of the broader region,
  - Landfill buffer requirements.
- Prepare the Bannockburn South East Precinct Structure Plan.
- Prepare the Smythesdale Structure Plan.
- Prepare the Haddon Structure Plan.
- Implement a Development Community Contribution Policy.
- Implement further sustainable building and energy efficient design requirements.
- Prepare a Developer Contributions Policy.