

Bayside Planning Scheme

PLANNING SCHEME

PURPOSE AND VISION

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.

PURPOSES AND VISION FOR VICTORIA

01.01

02/09/2025
VC283

PURPOSES OF THIS PLANNING SCHEME

- To provide a clear and consistent framework within which decisions about the use and development of land can be made.
 - To express state, regional, local and community expectations for areas and land uses.
 - To provide for the implementation of State, regional and local policies affecting land use and development.
 - To support responses to climate change.
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01.02

02/09/2025
VC283

VISION FOR VICTORIA

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.

02.0118/06/2021
C180bays**02.01-1**18/06/2021
C180bays**CONTEXT****Bayside context**

The City of Bayside is located eight kilometres south east of Melbourne with 17 kilometres of coast line along Port Phillip Bay. The development of Bayside has been most influenced by its coastal location.

Both historically and today Bayside's development centres around defined 'villages' or activity centres that are accessible by public transport. These centres are a focus for retail, entertainment, employment and apartment living. Each of these 'villages' has a defined character that is highly regarded by the local community.

The City's north retains many features of the early settlement period that have heritage significance. Historic development also influences southern parts of the city where lower scale development and a significant portion of coastal vegetation prevail. The remaining residential areas contain a variety of housing ranging from large allotments with established gardens that dominate streetscapes to more compact private and public housing.

The municipality is experiencing increased development pressure for higher density residential development due to urban consolidation policies, its proximity to Melbourne and its attractiveness as a coastal location.

Most economic activity in Bayside is associated with the commercial activities in the Major Activity Centres in Brighton, Hampton, Hampton East (Moorabbin) and Sandringham, as well as ubiquitous neighbourhood and small activity centres. Bayside has a significant employment area in Cheltenham, that is being transformed from industrial into a high quality business area. Tourism is also a significant economic contributor to Bayside, focused around the opportunities offered by the Bay.

Bayside's foreshore represents 23.8 per cent of Bayside's publicly accessible open space network. The foreshore is a recreation and tourism asset of regional significance. It contains a number of sites of cultural heritage significance relating to the original inhabitants, the Boon Wurrung people.

Bayside's open space areas not only provide for a range of recreational activities but also contain significant bushlands/heathlands which range from state to local significance. These areas provide important habitat and contribute to the quality of the municipality and are highly valued by the community.

BAYSIDE PLANNING SCHEME

02.01-2

18/06/2021
C180bays

Context plan



02.02

18/06/2021
C180bays

VISION

“Bayside will be a city which protects and enhances the quality and character of the natural and built environment through environmentally sustainable development and management of land.

Bayside will be an environmentally focussed city in which its natural resources are valued, present needs are met and development is responsibly managed for the benefit of current and future generations.”

STRATEGIC DIRECTIONS

Settlement

Activity centres

Bayside has a hierarchy of activity centres, some of which are located entirely within Bayside and some which are shared with other municipalities. The hierarchy consists of:

- *Major activity centres* – Identified in *Plan Melbourne* they are suburban centres that provide access to a wide range of goods and services. These are Bay Street Brighton, Church Street Brighton, Elsternwick, Hampton Street, Hampton, Hampton East (part of the Moorabbin Activity Centre) and Sandringham.
- *Large neighbourhood activity centres* – centres with between 2000-10,000 square metres of floorspace that generally serve the weekly shopping needs of their population catchment. These are Martin Street Brighton, Highett, Black Rock and Beaumaris Concourse.
- *Small neighbourhood activity centres* – smaller centres serving the day to day needs of residents who are within walking distance. These centres usually consist of small grocers, milk-bars, a takeaway restaurant and perhaps a café.
- *Small commercial activity centres – Mixed use* – smaller centres that do not play a convenience role. These centres usually consist of office/business spaces and specialist retail services.
- *Small commercial activity centres – Highway oriented* – smaller centres which usually consist of homemaker and peripheral sales, services and small offices which require a high exposure, main road location.

Bayside's Major Activity Centres are unique in that they are primarily nodes of population serving activities. Compared to other Major Activity Centres, Bayside's centres have considerably less supermarket or anchor floor space and much higher specialty store floor space contributing to the primarily retail focused role of the centres. High-end hospitality and niche fashion in particular are presented distinctively across the centres resulting in a greater supply of speciality stores than the local population can support. Future retail opportunities will emerge in areas that exhibit 'village' qualities where increased population growth will occur due to the presence of transport, services and areas with a high walkability and sense of place.

Office growth in activity centres are expected to be primarily population serving businesses such as real estate agents, insurance and other service providers.

Bayside's activity centres are examples of local activity centres performing well and providing high quality offerings. There is an opportunity to add to these places by improving the commercial and retail offer beyond core business hours, particularly in relation to healthcare, gymnasiums and restaurants.

Bayside's activity centres are well positioned to capitalise on the shift in the economy towards the professional services as many Bayside residents possess the skills and qualifications to find employment in these sectors. The challenge is to ensure there is sufficient commercial floor space available in activity centres and the Bayside Business District to accommodate these services and provide more local employment opportunities.

The Major Activity Centres and Large Neighbourhood Activity Centres will play an increasingly important role in accommodating residential growth within the municipality and it is important to ensure there is sufficient capacity and an appropriate range of commercial services to meet the needs of residents. Redevelopment in activity centres should not occur at the expense of commercial floor space.

An emphasis on sustainability principles and the net community benefits of the urban village style of development is required for the survival and vitality of local shopping centres. To this end activity centres need to maintain a mix of uses and vital core retail areas.

Council seeks to support its activity centres by:

- Maintain the individual strengths of each centre.
- Maintain the 'village' environment of activity centres through land use composition and a scale of development that reflects the role and setting of the centre and supports the activity centre hierarchy.
- Ensuring development contributes to the economic viability of activity centres.
- Directing major retail developments that may serve a wider catchment area in the retail core of Major Activity Centres, where net community benefit is highest.
- Retaining, strengthening and diversifying the retail core in each Major Activity Centre and Large Neighbourhood Activity Centre.
- Encouraging a diversity of activities in activity centres to serve the needs of the local community and support tourism.
- Encouraging night time business activity in Major Activity Centres and Large Neighbourhood Activity Centres.
- Encouraging uses and development that facilitates day and evening activities.
- Avoiding net loss of commercial floor space at ground floor level while encouraging increases to commercial floor space for redevelopment in activity centres.
- Encouraging community services to be located in activity centres.
- Encouraging uses that provide for community interaction.
- Supporting higher density residential developments with active commercial uses at ground floor level that is compatible with the scale and role of each centre.
- Establishing a built form that respects the existing or identified future character and scale of each centre and provides a transition to adjoining residential areas.
- Maintaining the identified qualities of each centre, including such elements as the local village atmosphere and heritage character in Martin Street, Brighton and of Sandringham's shopfronts.

Bayside Business District

The Bayside Business District (BBD) is the major focal point for business development and employment in Bayside. Council wishes to retain existing businesses, attract and encourage new businesses and foster increased employment opportunities, especially for local residents.

In supporting the role and function of the Bayside Business District Council seeks to:

- Transform the District from a traditional industrial precinct into an advanced business services precinct in the south-east region of Melbourne.
- Enhance the amenity and appearance of the business employment area to a high level, consistent with the overall amenity of the wider City of Bayside.

02.03-2

13/06/2024
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Environmental and landscape values

Biodiversity

Bayside has a wide range of significant habitats including eight inland bushland/heathland reserves ranging from state to local significance. Key habitats include Long Hollow Reserve, Donald MacDonald Reserve, Bay Road Heathland Sanctuary, Gramatan Avenue Heathland Sanctuary, George Street Reserve, Cheltenham Park Flora and Fauna Reserve, Balcombe Park Reserve, Highett Grassy Woodland, golf courses (which cover 175 hectares) and the foreshore. In addition to their environmental values as an important flora and fauna habitat and wildlife corridor, these areas contribute to the character of Bayside and are important recreational and educational resources. These larger habitat areas are connected with street trees, trees on private property and other public open spaces to form Bayside's urban forest.

Given Bayside's significant vegetation within the existing urban setting, as well as its high levels of coastal vegetation in areas such as Beaumaris.

Council seeks to:

- Assist the conservation of biodiversity through retention of native vegetation, protection of habitat.
- Protect the natural biodiversity of Conservation Reserves by ensuring that the primary purpose of the reserve is maintained.
- Protect habitat provided by established trees and gardens on private property that may be reduced and fragmented by increased medium density housing.

Coastal areas - foreshore

Bayside's coastal foreshore contains unique topography, ranging from low coastal scrubland and dunes in the north and rising to high cliff faces south of Sandringham. The vegetation on the foreshore similarly transitions north to south from managed parkland to important areas of remnant coastal bushland. Areas of regional environmental significance are located at Ricketts Point Marine Sanctuary and the Beaumaris cliffs, which contain a fossil site listed on the register of the national estate.

Council seeks to:

- Protect and enhance the foreshore as a natural, environmental and cultural resource as this is key to the ecological and economic viability of the Bayside municipality.
- Maintain and protect the ecology and natural qualities of the coast having regard to its wide range of ecosystems, recreation opportunities and the increasing public demand for access to it.
- Develop sustainable approaches to managing a dynamic environment and infrastructure that is vulnerable to the impact of climate change.

Port Phillip Bay

As Bayside is located at the receiving end of the Port Phillip catchment system, drainage and stormwater from the municipality is received directly by Port Phillip Bay. Development within Bayside can therefore have a direct impact on water quality within the bay.

With urban consolidation, drainage services are being placed under increased pressure, affecting the quality, quantity and rate of flow of water emanating from new or intensified development into the bay, and potentially causing flooding.

Council seeks to:

- Protect the surface waters and ground waters in the Port Phillip catchment from stormwater pollutants and the impacts of peak stormwater flows.

02.03-3

13/06/2024
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Environmental risks and amenity

Climate change

A changing global climate will magnify some of the natural processes that shape and impact on the coast. Sea level rise, more frequent storm events, temperature and rainfall changes are expected to increase the risk of erosion, inundation, infrastructure damage, drought conditions and ecological change. These changes will need to be accommodated while maintaining environmental quality.

Council has declared a Climate Emergency, recognising that climate change will continue to cause significant damage to our economy, society and environment, and that urgent action is required to adapt to the already changing climate.

Council seeks to manage the impact of climate change on the coastal environment by:

- Prioritising the maintenance of recreation areas, protection of assets and reduction of offshore cliff erosion based on the degree of vulnerability to coastal processes and sea level rise.

Discretionary uses in residential areas

There are a number of important uses that should be located within residential areas of the municipality, including child care centres, recreation centres, medical centres, schools, churches, retirement villages and other similar uses. While these uses are permitted under the zoning provisions, they fall outside the class of primary uses for which the land is zoned.

Council seeks:

- Well sited and designed discretionary uses that will not erode the highly valued urban character and amenity of residential areas.

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Built environment and heritage

Urban and building design

Bayside is renowned for its 'village' environment with distinct community precincts along the foreshore. Bayside is characterised by low rise residential suburbs, which have ample outdoor living space with predominantly tree lined streets, premium real estate and historic homes, much of it in a seaside setting.

The coastal landscape and extensive tracts of land covered by golf courses are also major contributors to the valued character and amenity of the municipality.

Council seeks to:

- Achieve built form and public realm design that conserves and enhances valued urban character and heritage places.
- Provide attractive pedestrian environments that are safe and accessible for people with all levels of mobility.
- Preserve the visual amenity and landscape values afforded by the golf courses.
- Maintain visibility of the Bay.
- Support growth in Activity Centres - Housing Choice and Stations and land in the Housing Choice and Transport Zone.

Neighbourhood character

Bayside is predominantly residential and defined by the character of its residential areas. Housing styles vary from fine examples of grand period homes to older villas, modern architect designed homes and public housing. The style and intensity of housing has enabled the establishment of mature private gardens that now dominate streetscapes. These features of Bayside's residential areas are valued by the community and are intended to be retained and enhanced as the preferred character in most areas.

In-fill development in recent years relocated impacting on the character and environmental values of Bayside's residential areas.

Development in residential areas needs to respond to the particular built form and natural environment elements that make up the neighbourhood character of Bayside.

Council seeks to:

- Achieve design outcomes that preserve established built form, enhance local character and contribute to a sense of place consistent with Bayside's character.
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- Retain significant vegetation and landscape characteristics that form a major element of a distinctive urban character in the municipality, particularly in Beaumaris and Black Rock.
- Support a change in neighbourhood character in Activity Centres - Housing Choice and Stations and land in the Housing Choice and Transport Zone.

Sustainability

Council is committed to enhancing the sustainability of the built environment by encouraging development to incorporate environmentally sustainable design principles and natural resource management to benefit current and future generations.

Council seeks to:

- Reduce greenhouse gas emissions and car dependence by encouraging more environmentally sustainable development.

Heritage

Bayside has a rich and varied heritage, starting with the Bunurong Aboriginals and later European settlement through to the twenty first century.

Bayside's post-contact heritage reflects progressive phases of development from the time of Henry Dendy's Special Survey in the 1840s through to contemporary infill development. An extensive range of heritage places of national, state and local significance remain to tell the story of Bayside, its people and their aspirations. These places are intrinsically valuable but also make an important contribution to the social, environmental and economic quality of life in Bayside.

The Council recognises that the city's heritage places exist in a dynamic context. In particular, there is constant pressure to adapt and develop heritage places to suit contemporary lifestyles. Therefore Council seeks to:

- Protect and maintain the integrity of heritage places in accordance with the accepted conservation standards of the ICOMOS Burra Charter whilst accommodating the needs of current inhabitants.
- Facilitate uses, that are not detrimental to the area and would otherwise be prohibited where the nature and built form of the heritage place requires a greater range of options.

02.03-5

31/03/2026
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Housing

At the last Census in 2016 Bayside had a population of 97,087 people. Forecast population increases and a trend towards smaller household sizes and an ageing population is increasing the demand for a greater variety of housing types and more affordable housing. To meet the forecast population increases and demographic changes, additional dwellings will be required.

In addition to this expected population growth, Bayside is a municipality where people choose to spend their whole lives. It will therefore be essential to ensure that a range of accommodation options are provided to meet the needs of the population throughout the various life stages.

Activity centres will play an increasingly important role in providing for future housing needs, particularly as opportunities diminish elsewhere due to neighbourhood character, heritage and environmental constraints.

Continued conversion of lots to medium density housing and subdivision is reducing the size of allotments and may lead to reduced housing choice in some areas.

The redevelopment potential within and around selected activity centres provides opportunities for medium density housing, resort style accommodation and shop top housing.

There are limited large scale vacant sites available for residential development in Bayside. The CSIRO land in Highett will present a significant development opportunity for Bayside.

Council seeks to:

- Facilitate the provision of diverse and well-designed affordable housing across Bayside
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- Manage development associated with population growth and minimise any detrimental impact on amenity.
- Direct increased housing densities to Activity Centres – Housing Choice and Stations, Major Activity Centres, Large Neighbourhood Activity Centres and residential opportunity areas, particularly those with good access to public transport routes as identified in the Residential strategic framework plan at Clause 02.04-1.
- Encourage a diversity of housing types in well serviced locations to meet the needs of the community over time, including housing for older people and affordable housing.
- Encourage the provision of diverse and well-designed affordable housing within the Housing Growth Area Boundaries, Future Moderate Residential Growth and Moderate Residential Growth Areas as identified in the Residential strategic framework plan at Clause 02.04-1.

02.03-6

18/06/2021
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Economic development**Diversified economy**

The Bay Road/Reserve Road area of Sandringham, Highett and Cheltenham is the major focal point for future business development and skilled employment. Many commercial businesses still require a solely commercial location which is unique to the Bayside Business District (BBD). It is centrally located within the south-eastern metropolitan region and has ready access to Nepean Highway and the Melbourne-Frankston train line.

Residential development in surrounding areas has increased the potential for land use conflict. This, along with economic restructuring has resulted in a shift in emphasis from a purely 'industrial area' towards a more diverse composition of business services including warehousing and corporate offices. Whilst it continues to operate successfully as a precinct for industrial, wholesale and warehousing purposes, it has the potential to transition towards an advanced business services precinct which better suits its location.

Council seeks to:

- Protect the primary economic role of the BBD by accommodating businesses unable to locate in activity centres due to their spatial or infrastructure needs.
- Facilitate the development of the BBD as a business services hub to provide future employment opportunities in the professional services sector suited to the local skill base.
- Encourage economic development that maintains and enhances the supply of and access to a range of employment and training opportunities.

Tourism

Tourism has been associated with Bayside since Sandringham, Brighton and Beaumaris were established as coastal holiday towns shortly following European settlement of Melbourne. The tourist attractions primarily relate to the bay, with the iconic bathing 9th, boxes, swimming, cycling, walking and sailing activities, as well as shopping, heritage homes and sites of natural significance. Bayside has a significant focus on golfing, with seven golf courses, both public and private, some of international significance.

Tourism is emerging as a significant industry in Bayside, and contributes to both the economic and social development of the community, as well as having other environmental, social and cultural benefits.

Council seeks to:

- Maximise the economic, social and cultural benefits of tourism for Bayside.
 - Manage potential impacts associated with tourism including overcrowding, environmental degradation and car parking congestion so that the character of Bayside and its coastal areas are retained and enhanced.
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- Facilitate tourism that respects the residential, heritage, leisure and environmental objectives for the municipality.
- Strengthen and reinforce the role of Beach Road/The Esplanade as a tourist boulevard.

02.03-7

18/06/2021
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Transport

Bayside is serviced by rail, a tram and buses; however there are large areas of the municipality that rely principally on the private motor vehicle for transport.

Public transport use declines in suburbs south of Sandringham Station and west of the Frankston rail line. East west connections using public transport are limited.

Public transport use is higher in Hampton East where 13 per cent of households have no car. For these households, a frequent and convenient public transport system provides vital access to services and employment beyond an immediate walking or cycling catchment.

Bayside is largely a car dependent municipality with the majority of households having two or more cars and the majority of residents using a motor vehicle to travel to work. Commuter parking is primarily the responsibility of Public Transport Victoria, with Council playing an advocacy role.

Providing car parking to satisfy the demands of all road users is one of the biggest challenges faced by Council. Increasing intensification of development across the municipality, has decreased the availability of on street parking and increased the number of vehicular trips on Bayside's road network.

In Bayside a high proportion of short trips are also undertaken by car. This increases congestion on the roads and has negative environmental consequences. The principles of sustainability include a reduced reliance on the private motor vehicle and greater reliance on sustainable transport, specifically, walking, cycling, community and public transport.

Bayside's relatively flat terrain and wide distribution of shopping areas makes it well suited to walking or cycling. However, Hampton, Highett and Sandringham have limited cycling opportunities. The bicycle network is limited to on road bike lanes in Beaumaris Black Rock and Cheltenham.

Bayside has a higher proportion of older persons and people with disabilities than the metropolitan average. Facilitating use of streets for sustainable transport for short daily trips has significant community benefits including: improved health and wellbeing; reducing social isolation; enhancing personal security; increasing retail spend in local shopping centres; alleviating parking pressures; and reducing transport related emissions.

Council seeks to:

- Integrate transport and land use so that sustainable transport is an attractive and viable alternative to private vehicle use in Bayside.
 - Support use and development that prioritises transport modes in the following order:
 - Walking.
 - Cycling.
 - Public transport, community transport including taxis and community run buses and demand responsive transport.
 - Private vehicles.
 - Commercial vehicles serving local areas.
 - Improve local accessibility by prioritising walking and cycling as the preferred modes of transport for short trips in Bayside.
 - Provide adequate car parking in and around shopping centres, employment areas and along the coast.
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Infrastructure

Health facilities

With an ageing population, there will be increasing demand for health care services. Whilst Bayside does not have a major regional hospital, it has some successful smaller hospitals and clinics that comprise a combination of specialisations and general practices.

There are opportunities to support the growth of this sector by encouraging specialist health businesses and institutions to co-locate with existing health facilities, particularly Sandringham Hospital and the Cabrini Hospital. Hampton East also presents opportunities given the proximity to the proposed Holmesglen Private Hospital on South Road in the City of Kingston.

Council seeks to consolidate health facilities by:

- Encouraging new health businesses and institutions to co-locate with existing health facilities, particularly Sandringham Hospital and the Cabrini Hospital.

Community and education facilities

Bayside contains two hospitals, five major private schools, public primary and secondary schools, kindergartens, preschools and child care centres. Additionally, there are a number of retirement and aged care facilities.

There is a concern that the distribution of community facilities and services across the municipality does not always reflect community needs. In addition, ad hoc re-development and expansion of existing community facilities may have an adverse impact on the amenity of surrounding residential areas. Safe and convenient access to quality community facilities and services must be provided on an equitable basis to all sections of the community.

Council seeks to:

- Locate community facilities where they can provide safe and convenient access on an equitable basis to all age groups, including those with limited mobility and special needs.
- Ensure the design of facilities is consistent with Bayside's character.

Development infrastructure

Bayside has a range of physical and community infrastructure that is used by the community on a daily basis. Much of it is reaching the end of its usable life and requires updating and replacing. Urban consolidation is also generating an increased need for infrastructure as it is used by a growing number of residents and visitors.

Council seeks to:

- Equitably share the cost of replacing and improving infrastructure between existing residents and the future beneficiaries of the assets.

Open space

Bayside's open spaces are a significant resource for the local and regional community. They contribute to the character of Bayside and are highly valued by all sectors of the Bayside community.

Overall, Bayside has a good allocation of open space per capita population compared with other middle and inner ring suburbs. However, a substantial area of Bayside's open space has restricted public access or restrictions on use due to occupancy by golf courses, significant vegetation and steep terrain along the foreshore. In addition, distribution inequity across the municipality is apparent, with some areas having far lower amounts of open space per capita.

An increasing population and additional households in Bayside will place further pressure on the existing open space network. As this growth will mostly be directed to activity centres, it will place increased pressure on the open space network which will not be equally distributed across

the municipality. Changing dwelling types will also generally result in a decreased provision of private open space which will again place additional pressure on, and focus greater importance on the role of the open space network.

Council seeks to:

- Develop an open space network that:
 - Accommodates a wide range of current and future community demands and is accessible to all.
 - Provides adequate flora and fauna habitat and enhances the landscape and natural heritage values of the environment.
- Improve the connectivity of open spaces to make it easier to access existing open space.
- Provide additional public open space where needed, with an emphasis on filling the gaps in areas identified as being deficient in public open space.
- Preserve and protect open space to support the economic and environmental viability of the municipality.

Integrated water management

Sustainable development that uses the principles of integrated water management can help reduce the magnitude of peak stormwater flows and the amount of pollutants at the source, that in turn protects waterways, water catchments and Port Phillip Bay. Integrated water management has three aims: reduce reliance on potable water supplies; reduce the amount of wastewater and stormwater generated; and improve water quality in water catchment ecosystems.

Council seeks:

- The on-site retention and re-use of stormwater run-off to regulate overland flow, prevent flooding and improve water quality, particularly in terms of run-off to the Bay.

Telecommunications

Above ground telecommunication and service cables have a significant detrimental visual impact, particularly along the foreshore.

Council seeks to:

- Reduce the impact of telecommunications and electrical services on the streetscape and the foreshore.

02.03-9

18/06/2021
C180bays

Gaming

Council acknowledges that gaming machine gambling is a legal form of recreation for adult members of the community. It also acknowledges that a proportion of the community is susceptible to problem gambling which can have significant adverse impacts on the health and wellbeing of communities and seeks a planning outcome of net community benefit.

Council seeks to:

- Minimise the risk of social and economic harm from problem gaming and protect vulnerable communities including through:
 - Prohibiting the establishment of gaming machines in activity centres.
 - Restricting the establishment of gaming machines in the Bayside Business District to sites zoned Mixed Use or Commercial 1.

02.04

18/06/2021
C180bays

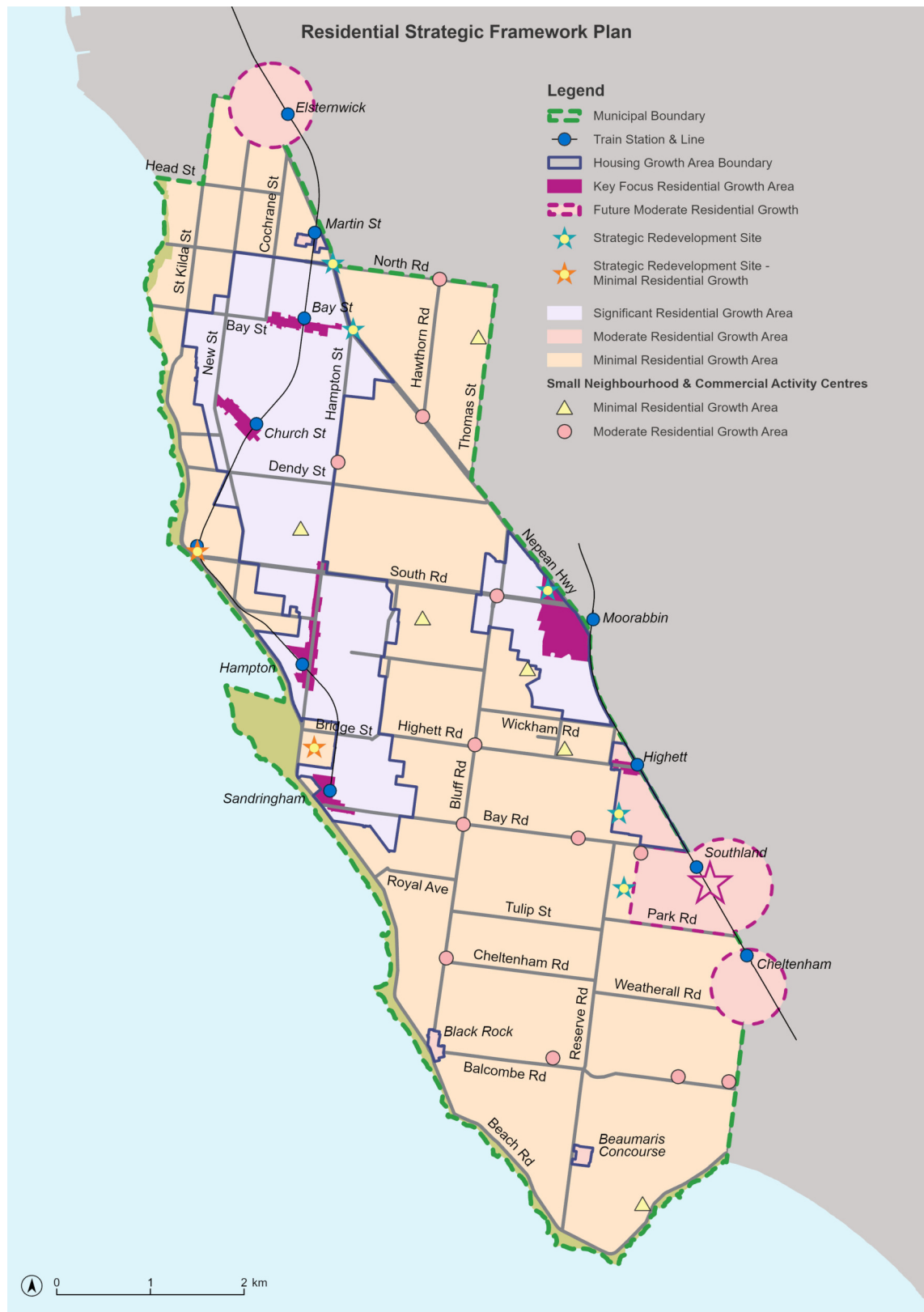
STRATEGIC FRAMEWORK PLANS

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

02.04-1

31/03/2026
GC270

Residential strategic framework plan



02.04-2

18/06/2021
C180bays

Spatial economic structure of Bayside plan



SETTLEMENT

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

Planning is to 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

31/07/2018
VC148

VICTORIA

11.01-1S02/09/2025
VC283**Settlement****Objective**

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

Strategies

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.

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- 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:

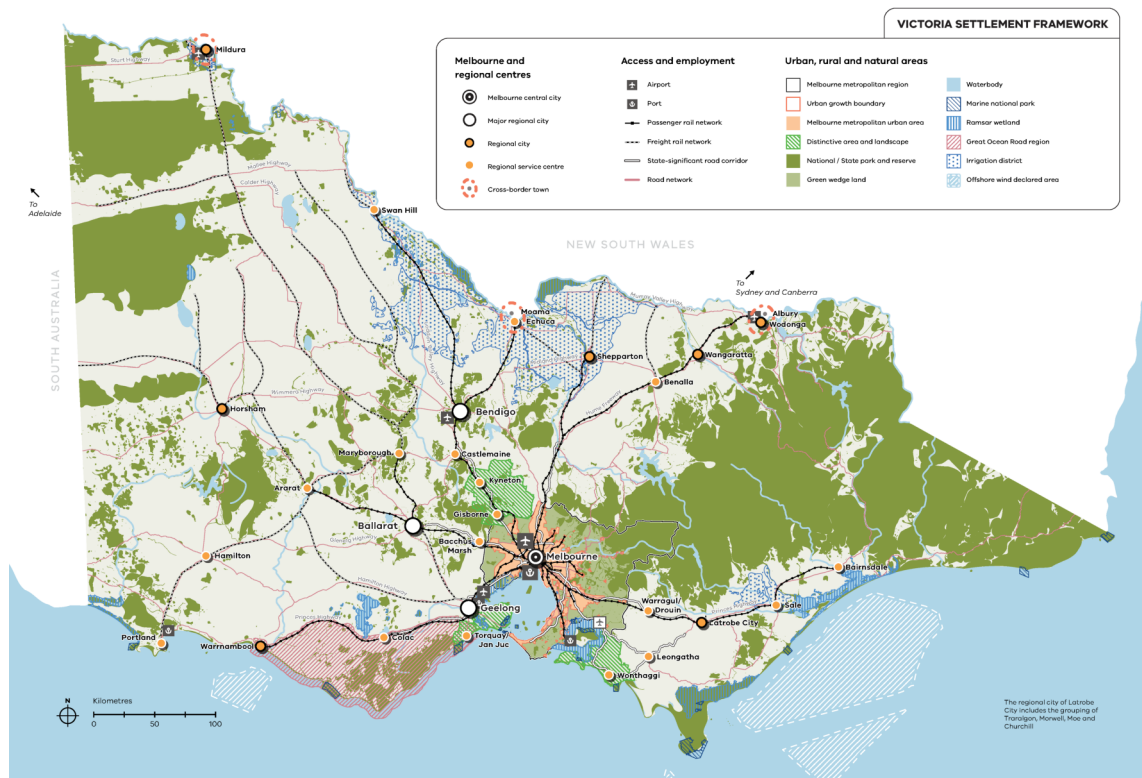
- Any settlement boundary identified in a document incorporated into this planning scheme.

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

02/09/2025
VC283

Settlement - Metropolitan Melbourne

Strategies

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

Focus investment and growth in:

- Melbourne Central City.
- Employment and Innovation Areas.
- Metropolitan Activity Centres.
- Priority Precincts, including Suburban Rail Loop Precincts.
- Activity Centres - Housing Choice and Stations.
- State-Significant Industrial Precincts.
- Transport Gateways.
- Health and Education Precincts.

Facilitate substantial growth and change in employment, health and education precincts to help meet the needs of Melbourne's rapidly growing population.

Develop a series of Priority Precincts that provide for an expanded Melbourne central city to support jobs and housing choice across Metropolitan Melbourne.

Develop Employment and Innovation Areas centred around medical, research and tertiary institutions that foster the development of emerging industries.

Create mixed use neighbourhoods at varying densities, including through the development of urban-renewal precincts and Activity Centres - Housing Choice and Stations.

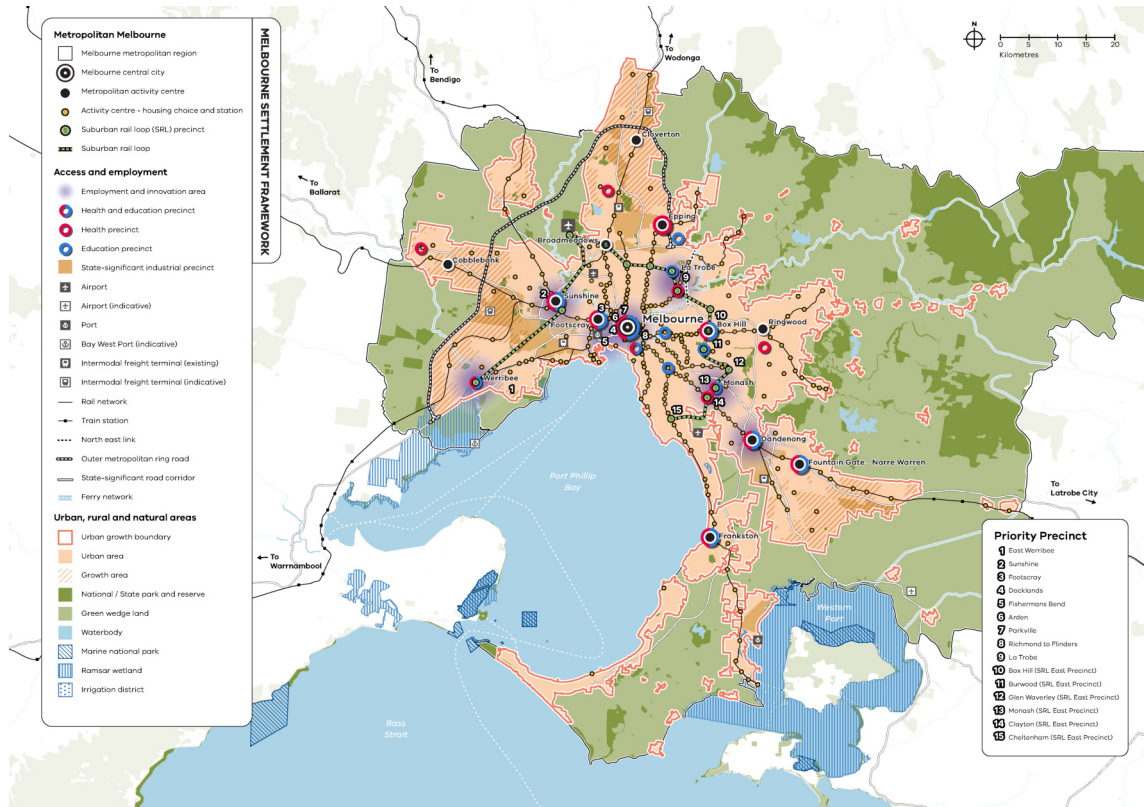
Develop Metropolitan Activity Centres as:

- Higher-order centres providing a diverse range of jobs, activities and housing for catchments well-served by public transport.
- Major locations for service delivery, including of government, health, justice and education services. It also provides many retail and commercial opportunities.

Support a network of activity centres of varying size, role and function.

BAYSIDE PLANNING SCHEME

Melbourne Settlement Framework Plan



11.01-1R

31/07/2018
VC148

Green wedges - Metropolitan Melbourne

Objective

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

Strategies

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

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

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

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

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

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

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

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

Provide opportunities for renewable energy generation.

Policy documents

Consider as relevant:

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

BAYSIDE PLANNING SCHEME

11.02

31/07/2018
VC148

MANAGING GROWTH

11.02-1S02/09/2025
VC283**Development capacity****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)
-

11.02-2S02/09/2025
VC283**Structure planning****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).
-

11.02-3S02/09/2025
VC283**Sequencing of development****Objective**

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

Strategies

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

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

31/07/2018
VC148

PLANNING FOR PLACES

11.03-1S16/04/2026
VC300**Activity centres and precincts****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)
 - *Mid-Rise Design Guide* (Department of Transport and Planning, 2026)
-

11.03-1R

02/09/2025
VC283

Activity centres and precincts - Metropolitan Melbourne

Strategies

Support the development and growth of Metropolitan activity centres and Suburban Rail Loop Precincts by ensuring they:

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

Plan the activity centres network to support thriving, productive and sustainable communities through:

- The delivery of new homes to meet housing target at appropriate Activity Centres - Housing Choice and Stations.
- Activity Centres – Housing Choice and Stations as a focus for facilities and services.
- Moderated housing growth at other designated activity centres (those not identified as Activity centres – Housing Choice and Stations or Metropolitan activity centres).

Support new activity centres within convenient walking distance of homes in the design of new subdivisions and in areas where services are not in walking distance.

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

Locate new small scale education, health and community facilities that meet local needs in or around activity centres.

11.03-1L-01 Sandringham Village

31/03/2026
GC270

Policy application

This policy applies to land as shown on the Sandringham Village Activity Centre map.

Retail core strategies

Consolidate retail activity within this precinct.

Encourage residential uses at upper levels.

Maintain the community facility role of this precinct, particularly in Waltham Street.

Encourage entertainment uses in addition to restaurants and shops.

Encourage the redevelopment of the station car park in Harston Street and the adjacent bus depot for housing.

Support development of the bus depot and railway station car park that provides for the replacement of public car parking, commuter parking and creation of pedestrian links between the station and Sandringham and Bay Roads.

Design new development adjacent to Sandringham Railway Station to include windows at ground and upper floor levels that overlook the station.

Provide active frontages that will encourage pedestrian activity along Beach Road and Melrose Street.

Sandringham Hotel strategy

Support development at the Sandringham Hotel site that respects its sensitive coastal location through a built form which:

- Reflects the fall of the land.
- Maintains scenic views of the coast.

Bay Road offices strategies

Support development (and associated use) for offices and health related uses particularly at street level.

Encourage residential uses on upper levels.

Built form and public realm strategies

Protect existing views and vistas where possible when designing and siting development.

Redevelop the properties in Melrose Street that currently have 90 degree angle car parking at the front of the site to provide a street wall that is built to the footpath edge and parking provided behind the development.

Support development that maintains safe, attractive and direct pedestrian routes throughout the centre.

Connectivity objective

To improve physical and visual connections Sandringham Village and between Sandringham Village and the foreshore reserve.

Connectivity strategies

Design development to integrate with the existing streetscape and protect existing views from the public domain to Port Phillip Bay through the siting and massing of buildings, structures, signage and the selection of vegetation species.

Seek to incorporate a pedestrian link into the redevelopment of land between Sim and Bay Streets.

BAYSIDE PLANNING SCHEME

Sandringham Village Activity Centre map



SANDRINGHAM VILLAGE FRAMEWORK PLAN



11.03-1L-02 Bay Street Brighton

31/03/2026
GC270

Policy application

This policy applies to land as shown on the Bay Street Brighton Activity Centre map.

Retail core strategies

Consolidate retail activity between Hillcrest Avenue and Asling Street.

Encourage development (and associated use) of healthcare and related service providers.

Support the expansion of the night time economy.

Encourage development of residential uses at upper levels.

Western office area strategies

Promote office uses at ground level and above.

Accommodate uses that generate pedestrian activity such as restaurants and entertainment uses while still maintaining predominantly office uses.

Locate residential uses above ground floor level.

Encourage redevelopment of larger sites for mixed use developments with basement car parking, commercial uses at ground level and residential above.

Medical centres office and residential strategy

Facilitate a mix of residential, commercial and active uses at the street frontage.

Pedestrian and vehicular circulation strategies

Incorporate pedestrian links between Bay Street and Outer Crescent in new developments.

Design development abutting the laneway adjacent to Warleigh Grove and surrounding residential streets to improve the amenity and safety of pedestrian access through measures such as passive surveillance, lighting or the like.

Support the development of a new car parking facility over the existing Council owned parking lot located between Marion Street and Willansby Avenue.

Pedestrian and vehicular circulation policy guideline

Consider as relevant:

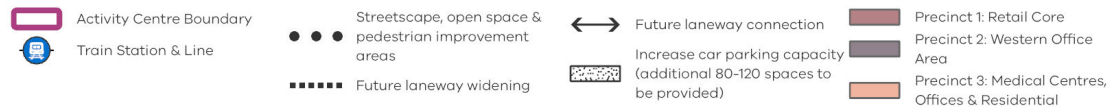
- The development of a new car parking facility over the existing Council owned parking lot located between Marion Street and Willansby Avenue to provide between 80-120 additional car spaces.
-

BAYSIDE PLANNING SCHEME

Bay Street Brighton Activity Centre map



BAY STREET CENTRE FRAMEWORK PLAN



11.03-1L-03 Church Street Brighton

31/03/2026
GC270

Policy application

This policy applies to land contained in the Church Street Brighton Activity Centre map.

Retail core strategies

Consolidate retail activity between St Andrews and Male Street.

Support the expansion of the Safeway/Woolworths supermarket to full line status (approximately 3000 square metres) to serve as a stronger anchor for the centre.

Design building frontages to have a high degree of visual connection to the street.

Encourage mixed use development throughout the precinct and in particular around the railway station.

Encourage development of residential uses at upper levels.

Support the provision of an additional car parking facility over the existing parking lot located on the corner of Carpenter and Black streets to provide between 120-160 additional car spaces.

Office and mixed use strategies

Encourage office uses, particularly related to health and service uses at ground level.

Encourage the development or adaptation of upper levels for dwellings.

Encourage redevelopment of larger sites and grade level car parks for mixed use developments with basement car parking, office uses (residential in Well Street) at ground level and residential above.

Support the provision of an additional car parking facility over the existing parking lot located off the north side of Well Street, between Carpenter Street and the railway line.

Office and mixed use policy guideline

Consider as relevant:

- That the additional car parking facility provides, along with the redeveloped car park on the corner of Carpenter and Black Street, between 120-160 additional car spaces.

Church St Andrews and New Street triangle strategy

Develop a health service cluster leveraging off the proximity to the Cabrini Hospital.

Public realm strategies

Integrate the open space on the St Andrew's Church grounds (fronting Church Street between New and St Andrews streets) into the centre.

Design development opposite the St Andrews Church to provide for buildings with windows overlooking the church grounds.

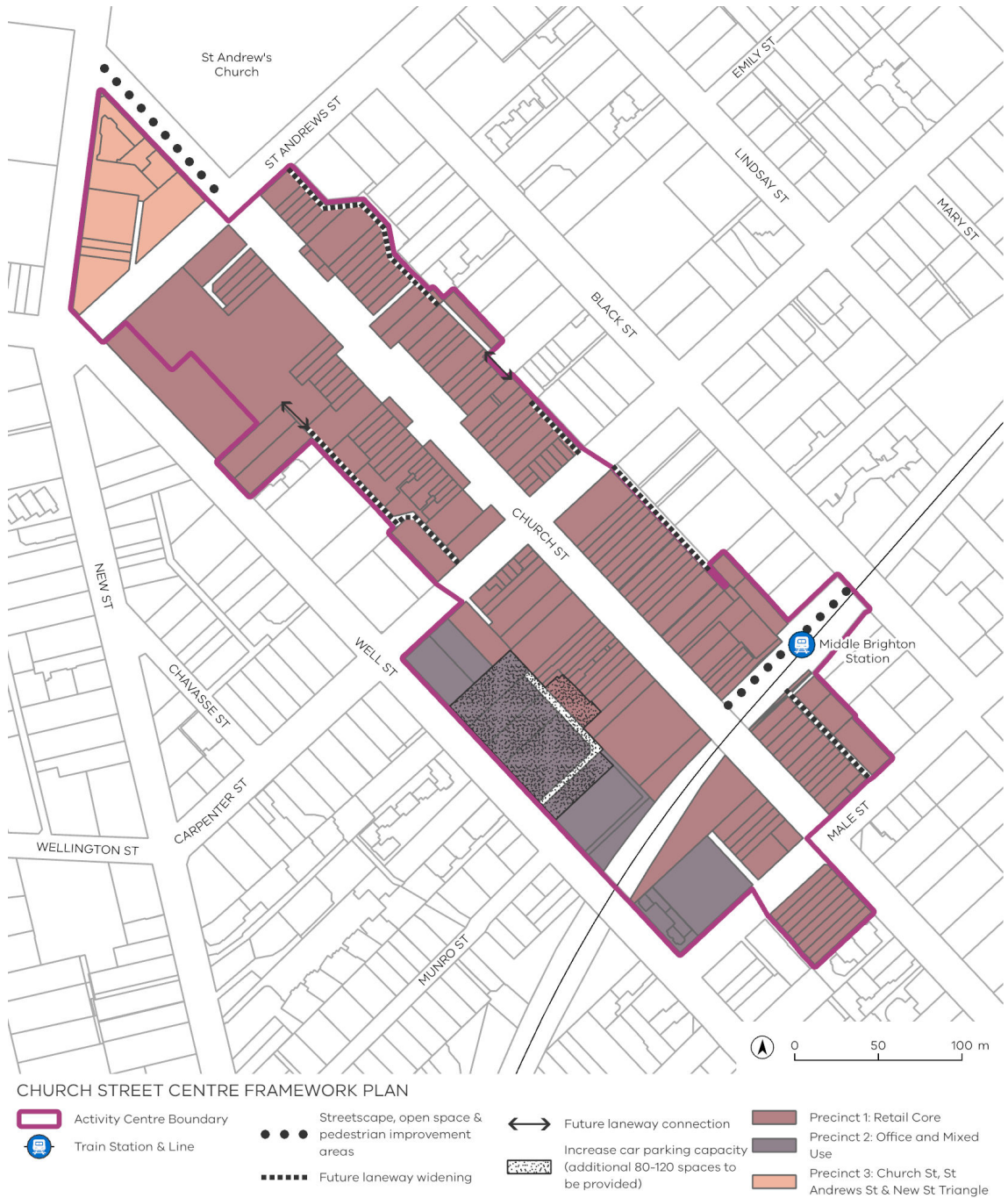
Design development adjacent to Middle Brighton Railway Station to include windows at ground and upper floor levels that overlook the station and access lanes.

Pedestrian circulation strategies

Retain a pedestrian link between Lindsay Street and the railway footpath as part of any redevelopment of the car park.

BAYSIDE PLANNING SCHEME

Church Street Brighton Activity Centre map



11.03-1L-04 Hampton Street

31/03/2026
GC270

Policy application

This policy applies to land contained in the Hampton Street Activity Centre map.

Retail core strategies

Develop a high activity, retail and mixed use core, with active frontages, between the railway line and Willis Street.

Facilitate redevelopment of the Willis Street Precinct and railway car park to a mixed use development with:

- Basement car parking.
- Integrated community facilities.
- Improved links to the station and between transport modes.
- Improved station facilities.
- Public space incorporating the existing large eucalypts.

Support the redevelopment of the station car park in Railway Crescent to provide housing that fronts the street and also looks onto the station.

Design development adjacent to Hampton Railway Station to include windows at ground and upper floor levels that overlook the station and access lanes.

Ensure that the redevelopment of the Willis Street Precinct includes additional car parking spaces to replace those lost due to the redevelopment of the Railway Crescent car park.

Design building frontages to have a high degree of visual connection to the street.

Encourage development of residential at upper levels.

Peripheral business and local shopping area strategies

Encourage mixed use developments with non-residential uses on the ground floor and residential on upper levels.

Encourage healthcare and related uses.

Design buildings fronting Hampton Street between Ludstone and Villeroy streets, and between Grenville and Hollyrood streets, to provide shops built to the footpath edge and car parking to the rear.

Design and layout development to support the use of the commercial area north of South Road as a local shopping centre.

Maintain and consolidate community service functions in the centre.

Office and multi-dwelling residential strategies

Maintain continuous shop fronts at street level.

Encourage development of residential at upper levels.

Encourage development for office activity in Small Street and Railway Crescent.

Pedestrian circulation strategies

Support development that assists in providing safe, attractive and direct routes throughout the centre and between the buses and trains.

BAYSIDE PLANNING SCHEME

Hampton Street Activity Centre map



HAMPTON STREET CENTRE FRAMEWORK PLAN

- | | | | |
|--------------------------------------|--|--|---|
| Activity Centre Boundary | Future signalised pedestrian crossing in this vicinity | Streetscape, open space & pedestrian improvement areas | Precinct 1: Retail Core |
| Train Station & Line | Willis Street Precinct | Future laneway widening | Precinct 2: Peripheral Business and Local Shopping Area |
| Existing car parks to be redeveloped | Future laneway connection | Precinct 3: Office and Multi-Dwelling Residential | |

11.03-1L-05 Beaumaris

18/06/2021
C180bays

Policy application

This policy applies to land contained in the Beaumaris Concourse Activity Centre map.

Strategies

Maintain a core retail role for the centre.

Design residential development at the rear or upper levels so that it does not prejudice the use of the ground floor for retail and entertainment uses.

Design residential or commercial development to incorporate effective noise attenuation measures to address conflict with adjoining uses.

Support development that is designed and sited to protect the amenity of the land and the surrounding area, including abutting residential uses.

Policy guideline

Consider as relevant:

- Provision of minimum floor to ceiling heights of at least 3.5 metres at ground floor and loading bays at the rear to facilitate the development of shop and food premises uses.

Policy document

Consider as relevant:

- *Beaumaris Concourse Activity Centre Structure Plan* (IUM, 2005)
-

BAYSIDE PLANNING SCHEME

Beaumaris Concourse Activity Centre map



	Retail core
	Active frontages required
	Create new frontages to streets incorporating off-street parking

11.03-1L-06 Highett

21/09/2022
C160bays

Policy application

This policy applies to land contained in the Highett Activity Centre map.

Residential development strategies

Encourage medium density housing developments on consolidated lots in preferred residential development areas.

Design medium density housing in preferred residential areas to be multi-level developments that include basement or in-building car parking.

Encourage residential uses in upper levels of buildings and the rear of shops in the commercial and mixed use zones.

Allow sufficient space around new multi-level developments in residential areas, at ground level to provide the opportunity for landscaping that will create a garden appearance to streets and soften the building form from adjoining buildings.

Design development to:

- Respect the character of Highett's established residential areas.
- Balance the response to existing character with proximity to public transport and the core activity area.

Economic development strategies

Support mixed use development on land at the south-west corner of Highett Road and Graham Road.

Support mixed-use development on the triangular site at the south-east corner of Graham Road and Highett Road, with ground level retail and upper level residential or employment uses.

Encourage the establishment of offices and dwellings above and to the rear of shops fronting Highett Road within the Highett shopping centre.

Encourage the redevelopment of ground level car parks for mixed-use developments including office, residential and car parking within the Highett shopping centre.

Support mixed-use developments with commercial uses at ground level on Highett Road to the west of Middleton Street (south side of Highett Road) and west of Train Street (north side Highett Road).

Access strategies

Support development that improves pedestrian safety on Highett Road including through improved road crossings of Highett Road and of side streets.

Limit the impact on traffic flows in Graham Road and Middleton Street from development.

Open up views and access to the Lyle Anderson Reserve from Graham Road on properties west of Lyle Anderson Reserve.

Provide an open space link when land to at 36-40 Graham Road Highett is developed to create a connection between the Lyle Anderson Reserve and open space to be provided in the CSIRO site either as:

- An open space land contribution.
- An easement.

Environmental values strategy

Retain the Highett Grassy Woodland due to the substantial contribution it makes to biodiversity on a local and regional level.

BAYSIDE PLANNING SCHEME

Policy documents

Consider as relevant:

- *Highett Structure Plan* (Bayside City Council, 2018)
- *Graham Road, Highett: Traffic Management Plan* (Andrew O'Brien and Associates, 2004)

Highett Activity Centre map



11.03-1L-07 Martin Street Brighton

18/06/2021
C180bays

Policy application

This policy applies to land contained in the Martin Street Activity Centre map.

Objective

To develop the centre as a local hub for shopping, transport and a range of housing choices that respond to Martin Street's neighbourhood scale and enhance its village atmosphere and heritage character.

Land use strategies

Encourage a range of housing types and sizes to cater to different needs.

Locate housing above commercial premises to improve convenience for residents and increase the customer base for traders.

Support intensification of the commercial area to provide for commercial and residential growth and ensure the ongoing economic viability of the Martin Street Activity Centre.

Built form strategies

Design development to achieve a transition in building height and intensity between commercial precincts and between commercial and residential areas.

Discourage that project from upper floor facades or that are located above verandahs.

Access strategies

Design development to provide improved access and safety for vehicles, cyclists and pedestrians in Martin Street and at the interface with the Nepean Highway.

Increase the utilisation of laneways by development, through widening, lighting, signage and surveillance.

Ensure that development provides sufficient car parking to meet the needs of residents and visitors without compromising the streetscape.

Seek to establish continuous walking and cycle paths along the Nepean Highway corridor that connect existing networks.

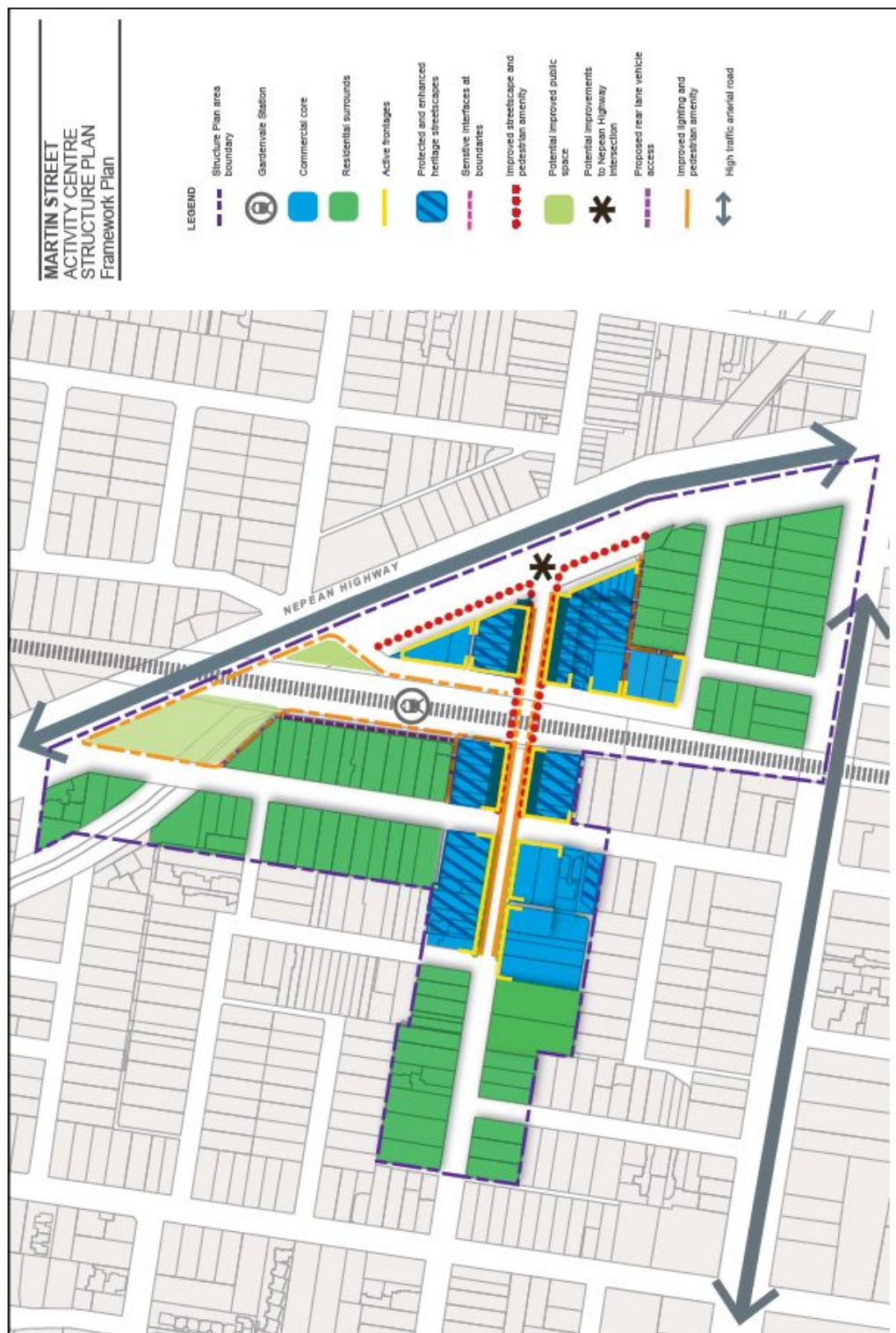
Support development that improves the Gardenvale Railway Station environs to increase pedestrian safety and accessibility.

Policy document

Consider as relevant:

- *Martin Street Structure Plan* (Bayside City Council, 2016)

Martin Street Brighton Activity Centre map



11.03-1L-08 Black Rock

18/06/2021
C180bays

Policy application

This policy applies to land contained in the Black Rock Village Neighbourhood Activity Centre map.

Strategies

Encourage development that responds to the unique character and amenity of the Centre and provides a transition at the interface between the centre and adjoining residential areas.

Encourage new residential uses above ground floor level.

Encourage commercial uses within the Black Rock Village Activity Centre that complement the local convenience function of the Centre.

Protect the centre's convenience function and promote high levels of activity by discouraging the conversion of ground floor shopfronts to non-commercial uses, unless the proposed use makes a positive contribution to street life within the Centre.

Commercial street frontages should:

- Minimise the extent of blank walls, vehicle entrances and service utilities.
- Provide transparent glazing, window coverings and security grills that do not obscure views into premises.

Design development to provide articulated built form at both ground and upper levels.

Design development to provide adequate solar access to dwellings and limit unreasonable impacts on the amenity of adjoining buildings through visual bulk, overlooking or overshadowing.

Strengthen the centre's tourism role by encouraging built form that provides a visual connection with Port Phillip Bay.

Design development to protect and enhance key views of the foreshore Reserve as viewed from Bluff Road, Balcombe Road and along Beach Road.

Support development that creates a safe pedestrian orientated environment throughout the Centre and between the Centre and the foreshore.

Maintain the supply of publicly available car parking spaces.

Locate the entrance to any basement car park away from the low point of the street.

Policy guidelines

Consider as relevant:

- Commercial street frontages that:
 - Provide at least 5 metres or 80 per cent, whichever is the greater, as an entry, display window or customer service area.
- Seeking the creation of an easement of carriageway for laneways to achieve:
 - A 5.5 metres wide access lane along the rear of properties at 4-18 Bluff Road, 592-606 Balcombe Road and 1-35 Bluff Road.
 - A width for other access lanes that can accommodate the traffic created by the number of properties likely to require future access.

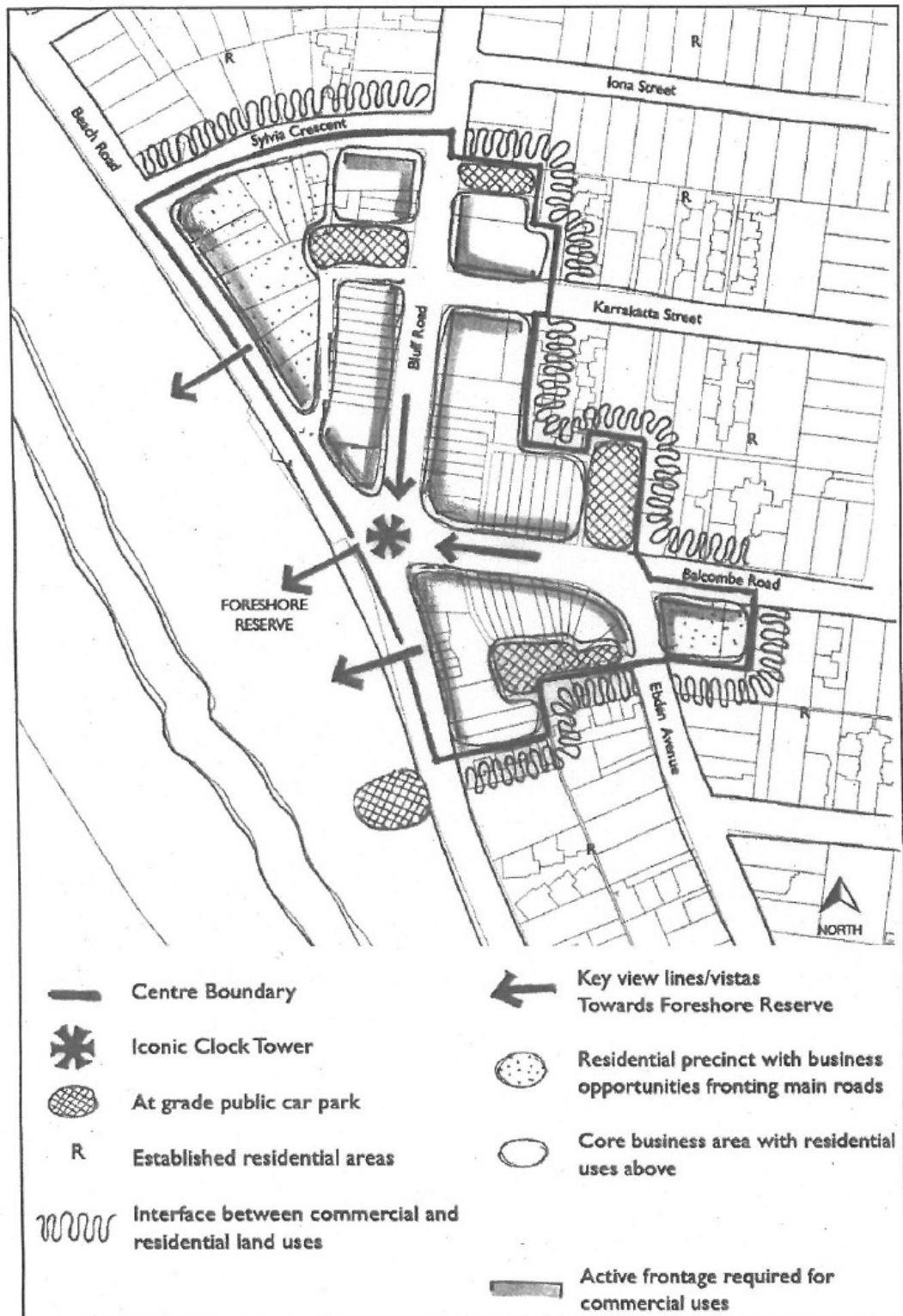
Policy document

Consider as relevant:

- *Black Rock Village Neighbourhood Activity Centre: Strategic Framework Plan* (CPG Australia, 2009 and addendum Bayside City Council 2012)

BAYSIDE PLANNING SCHEME

Black Rock Village Neighbourhood Activity Centre map



11.03-1L-09 Small Neighbourhood Activity Centres

18/06/2021
C180bays

This policy applies to land contained in the following centres classified as Small Neighbourhood Activity Centres:

- Balcombe Park, Beaumaris.
- Balcombe Road and Charman Road Centre, Beaumaris.
- Bay Road and Avoca Street Centre, Cheltenham.
- Bay Road and Jack Road Centre, Cheltenham.
- Bluff Road and Arranmore Avenue Centre, Black Rock.
- Bluff Road and Bay Road Centre, Sandringham.
- Bluff Road and Edward Street Centre, Black Rock.
- Bluff Road and Highett Road Centre, Hampton East.
- Bluff Road and Love Street Centre, Black Rock.
- Bluff Road and Spring Street Centre, Sandringham.
- Brighton Beach (Were Street) Centre, Brighton.
- Dendy Village, Brighton.
- East Brighton Shopping Centre, Brighton East.
- Esplanade and Grosvenor Street Centre, Brighton.
- Hawthorn Road Shopping Centre, Brighton East.
- Highett Road and Spring Street (Little Highett Village) Centre, Highett.
- Keith Street and Widdop Crescent Centre, Hampton East.
- Keys Street Shopping Centre, Beaumaris.
- Ludstone Street Centre, Hampton.
- New Street and Bay Street Centre, Brighton.
- Seaview Shopping Centre, Beaumaris.
- South Road Plaza, Hampton.
- Thomas Street and Egan Street Centre, Brighton East.
- Weatherall Road Shopping Centre, Cheltenham.

Strategies

Encourage residential growth in each of the centres.

Encourage the provision of additional commercial floor area.

Ensure residential development does not occur at the expense of commercial floor area.

Support the growth of Small Neighbourhood Activity Centres in a manner that maintains the individual character of the centres and is consistent with the centre's context.

Support the local convenience retailing and local employment role of Small Neighbourhood Activity Centres by facilitating commercial floorspace growth.

Support the continued viability of convenience retailing and associated uses in the centres.

Provide landscaping opportunities in the public realm and at key locations in the centres.

Strengthen pedestrian connections to open space, health and community uses and existing bus stops.

BAYSIDE PLANNING SCHEME

Ensure development does not provide vehicle access from the activity centre frontage.

Encourage the retention of laneways to provide vehicle access to centres.

Ensure development provides a transition to nearby residential land and is respectful of its residential context.

Ensure all non-residential uses in Small Neighbourhood Activity Centres manage off-site impacts such as noise, traffic generation and parking to limit the effect on residential amenity.

Retain the size and functions of the Balcombe Park, Esplanade and Grosvenor Street and Ludstone Street centres.

Expand the supermarket use in the Bluff Road and Highett Road Centre to increase the supermarket floorspace available in Bayside.

Encourage the integration of the supermarket and associated car parking and service station in the Bluff Road and Highett Road Centre with the rest of the centre.

Encourage a small supermarket to locate in the Dendy Village Centre.

Encourage the New Street and Bay Street Centre to transition to a mix of uses oriented towards convenience and boutique retailing, to complement the Bay Street Major Activity Centre.

Encourage retail uses to establish in the Bluff Road and Arranmore Avenue Centre to grow its role as a local convenience centre.

Ensure residential development in the Bay Road and Avoca Street Centre does not detrimentally affect the viability of the existing Commercial 2 zoned uses in the nearby Bayside Business District.

Policy document

Consider as relevant:

- *Bayside Small Activity Centres Strategy* (2014)

11.03-1L-10 Small Commercial Activity Centres - Mixed Use

18/06/2021
C180bays

Policy application

This policy applies to land contained in the following centres classified as Small Commercial Activity Centres – Mixed Use:

- Beach Road and Georgiana Street, Sandringham.
- New Street and Martin Street, Brighton.
- South Road and Esplanade, Brighton.
- Weatherall Road and Morey Road, Cheltenham.

Strategies

Encourage the provision of local commercial and retail space for small businesses, specialist retail and local services.

Ensure all non-residential uses in Small Commercial Activity Centres manage off-site impacts such as noise, traffic generation and parking to limit the effect on residential amenity.

Encourage more cafes, restaurants and local convenience retailing in the South Road and Esplanade Centre to service visitors and new residential in the area.

Encourage the development of South Road and Esplanade Centre as a 'gateway' to the iconic Brighton Beach bathing boxes.

Policy document

Consider as relevant:

- *Bayside Small Activity Centres Strategy* (2014)
-

11.03-1L-11 Small Commercial Activity Centres - Highway Oriented

18/06/2021
C180bays

Policy application

This policy applies to land contained in the following centres classified as Small Commercial Activity Centres – Highway Oriented:

- Nepean Highway and Centre Road Centre, Brighton East.
- Nepean Highway and Milroy Street Centre, Brighton East.
- Nepean Highway and Union Street Centre, Brighton East.

Strategies

Encourage uses with larger floorspace requirements such as restricted retail premises.

Improve the overall presentation of the built form and public realm along the Nepean Highway.

Provide medium density housing on upper floors where it does not detrimentally affect ground floor commercial uses.

Ensure all non-residential uses in Small Commercial Activity Centres manage off-site impacts such as noise, traffic generation and parking to limit the effect on residential amenity.

Ensure new residential development provides for large format retail uses on the normal ground floor.

Minimise vehicle accessways and loading areas occupying building frontages along the Nepean Highway.

Ensure signage does not obscure or dominate the appearance of new development.

Design development or highway based retailing to provide landscaping and urban design that positively contributes to the character of the surrounding urban environment.

Policy document

Consider as relevant:

- *Bayside Small Activity Centres Strategy* (2014)
-

11.03-2S

02/09/2025
VC283

Growth areas

Objective

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

Strategies

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

Implement the strategic directions in the growth 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.

BAYSIDE PLANNING SCHEME

- 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

02/09/2025
VC283

Peri-urban areas

Objective

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

Strategies

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

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.

11.03-4S02/09/2025
VC283**Coastal settlement****Objective**

To plan for sustainable coastal development.

Strategies

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

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

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)
-

11.03-5S13/02/2026
VC245**Distinctive areas and landscapes****Objective**

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

Strategies

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

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

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

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

Protect the identified key values and activities of these areas.

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

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

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

Protect areas that are important for food production.

Policy documents

Consider as relevant:

- *Bellarine Peninsula Statement of Planning Policy* (Victorian Government, 2023)
- *Macedon Ranges Statement of Planning Policy* (Victorian Government, 2019)
- *Mornington Peninsula Localised Planning Statement* (Victorian Government, 2014)
- *Surf Coast Statement of Planning Policy* (Victorian Government, 2022)
- *Yarra Ranges Localised Planning Statement* (Victorian Government, 2017)

11.03-6S31/07/2018
VC148**Regional and local places****Objective**

To facilitate integrated place-based planning.

Strategies

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

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

11.03-6L

18/06/2021
C180bays

Bayside Business District

Policy application

This policy applies to the land in a Commercial 2 Zone and a Mixed Use Zone as shown in Bayside Business District map.

Objectives

To encourage commercial, industrial and other uses that fulfill a business / employment focussed role.

To encourage commercial, industrial and other uses that complement rather than undermine the role of nearby activity centres.

To retain Bay Road as a key corridor for business.

To maximise local employment opportunities.

To consolidate and intensify business uses within the Bayside Business District.

To encourage and support the redevelopment of vacant sites and underutilised sites for commercial purposes.

To encourage improvement of built form, landscaping and urban design outcomes.

Use strategies

Facilitate developments that incorporate a mix of industries or other compatible uses.

Support home based businesses, non-polluting industry, export-oriented and high-tech businesses.

Design buildings to contain leasable floor areas that are capable of accommodating a diverse range of industrial and commercial uses.

Support large scale office uses that complement the industrial/business focus of the precinct.

Discourage the dilution of core commercial/industrial activities by retail uses and limit the scale of such uses to those suitable for serving local needs.

Discourage industrial uses that have the potential to create amenity conflicts with adjacent residential land.

Ensure that land proposed to be used for a sensitive use undergoes a Preliminary Site Investigation and any associated site testing consistent with EPA requirements, where necessary.

Encourage development within the Mixed Use Zone on the corner of Bay Road and George Street to contain a range of residential, commercial, industrial and other uses.

Encourage a mix of commercial and non-offensive industrial activities in the Mixed Use Zone to the west of Bay Road Heathland Reserve on the south side of Bay Road, that complement the future character and diversity of the area.

Ensure that any residential component of a mixed use development does not detrimentally impact on commercial and business activities.

Use policy guidelines

Consider as relevant:

- Discouraging office developments above 500 square metres that do not meet the strategic objectives of the area or minimise detrimental off-site impacts.
- Discouraging retail floor areas above 80 square metres.
- Discouraging industrial/warehouse units of less than 300 square metres and limiting the proportion of smaller units in any development.

Development strategies

Maintain the existing supply of large lots to attract a business anchor or corporate offices.

Support development that provides an interface between commercial and residential properties that improves residential amenity and reduces land use conflicts.

Design development to provide measures for protection from noise and odour that may be associated with other uses on the site or adjacent sites.

Design development to provide for services, garbage collection and mail delivery.

Development policy guideline

Consider as relevant:

- Discouraging subdivision of vacant land where no development application is proposed.

Access strategies

Provide vehicular access to commercial properties via roads other than primarily residential thoroughfares, unless no other legal or viable means of vehicle access to the land is available.

Discourage access to commercial properties via Jack Road, unless no other legal or viable means of vehicle access to the land is available.

Design and layout development to allow safe and efficient vehicle access and movement that:

- Separates residential and commercial traffic as far as practical.
- Accommodates the parking and traffic needs of the use or development.
- Allocates parking spaces to particular activities.

Access policy guideline

Consider as relevant:

- Avoiding more than one vehicle crossing per site onto Bay Road and minimising the interruption of footpaths by crossovers.

Mixed Use Zone (corner of Bay Road and George Street, Sandringham) strategies

Design development to meet setbacks as identified in the large lots south of Bay Road and Interface with Bay Road Heathland Sanctuary policy guidelines.

Maintain business/commercial frontages at ground level along the full length of Bay Road and part of George Street to maintain the business/commercial function of the Bayside Business District.

Discourage non-commercial frontage at ground floor level within the business/commercial frontages of Bay Road and George Street.

Provide a mix of residential, commercial, industrial and other uses that reflect the objectives of the Bayside Business District.

Mixed Use Zone (corner of Bay Road and George Street, Sandringham) policy guideline

Consider as relevant:

- Maintaining business/commercial frontages at ground level along George Street for a minimum of 65 metres from Bay Road to maintain the business/commercial function of the Bayside Business District.

Mixed Use Zone (to the west of the Bay Road Heathland Reserve on the south side of Bay Road) strategies

Encourage a diversity of uses on each site, including commercial, industrial, warehouse and medium density residential uses.

BAYSIDE PLANNING SCHEME

Encourage more intensive development.

Design buildings fronting Bay Road to incorporate an active interface with Bay Road through articulation of building facades and landscaping within the building setback.

Design development to meet setbacks as identified in the large lots south of Bay Road policy guidelines.

Encourage business/commercial uses at ground level fronting Bay Road.

Encourage residential development at upper levels in areas that will minimise conflict with other uses within the site or on adjacent sites.

Provide on-site parking for employees, occupants and visitors to prevent adverse off-site impacts.

Encourage signage to be integrated into the design of buildings and, where there are multiple occupancies on a site, consolidated into a single sign within the frontage of the site.

Building form and detailing strategies

Use building forms, or changes of surface treatment, or a combination of these, to provide visually interesting buildings, and to diminish visual bulk, avoiding buildings that present a poor quality frontage/interface with the street or an adjacent reserve.

Design buildings so that they do not present blank walls to the street that detract from the perception of a safe street environment.

Design ground floor street frontages to provide pedestrian/human scaled elements at street level.

Locate habitable spaces along the street frontage with windows overlooking the street.

Locate the main building entrance on the street frontage.

Design and locate entries to underground car parking areas so that they do not dominate the building frontage.

Minimise unreasonable shading of an adjacent reserve.

Avoid illumination that will detrimentally impact on significant indigenous vegetation in an adjacent reserve.

Landscaping strategies

Provide a substantial proportion of landscaping within the front setback that creates an attractive setting for the buildings and relates to the native vegetation theme in the area.

Retain large established native trees and provide for the planting of new wide spreading native canopy trees within the front setback where possible.

Provide sufficient permeable surfacing around trees that ensures their continual survival.

Avoid creating large areas of impervious surfaces.

Provide access paths to building entrances.

Landscaping policy guideline

Consider as relevant:

- The comparatively limited scale of landscaping possible on lots in Advantage Road and small lots to the north and south of Bay Road due to physical constraints.

Vehicle parking and loading areas strategy

Minimise the visual and physical dominance of vehicles, car parking surfaces and service areas in the streetscape or from an adjacent reserve by:

- Minimising vehicle parking within the front setback.
-

BAYSIDE PLANNING SCHEME

- Locating permanent parking to the side or rear of the building, or below the ground floor of the building.
- Locating storage yards and loading docks to the side or rear of the building.
- Providing access paths to building entrances for pedestrians and disabled persons.

Specific areas urban design policy guidelines

Consider as relevant:

Large lots south of Bay Road

The preferred built form on large lots to the south of Bay Road is:

- A maximum building height of 14 metres.
- A minimum building setback of 15 metres from the street frontage.

Northern side of Bay Road

The preferred built form on lots on the northern side of Bay Road is:

- A maximum building height of 10.5 metres.
- A minimum building setback of 11 metres from the street frontage.

Advantage Road and small lots north of Bay Road

The preferred built form on lots in Advantage Road and small lots to the north of Bay Road is:

- A maximum building height of 10.5 metres.
- A minimum building setback of 6 metres from the street frontage.

Small lots south of Bay Road

The preferred built form on small lots to the south of Bay Road is:

- A maximum building height of 14 metres.
- A minimum building setback of 6 metres from the street frontage.

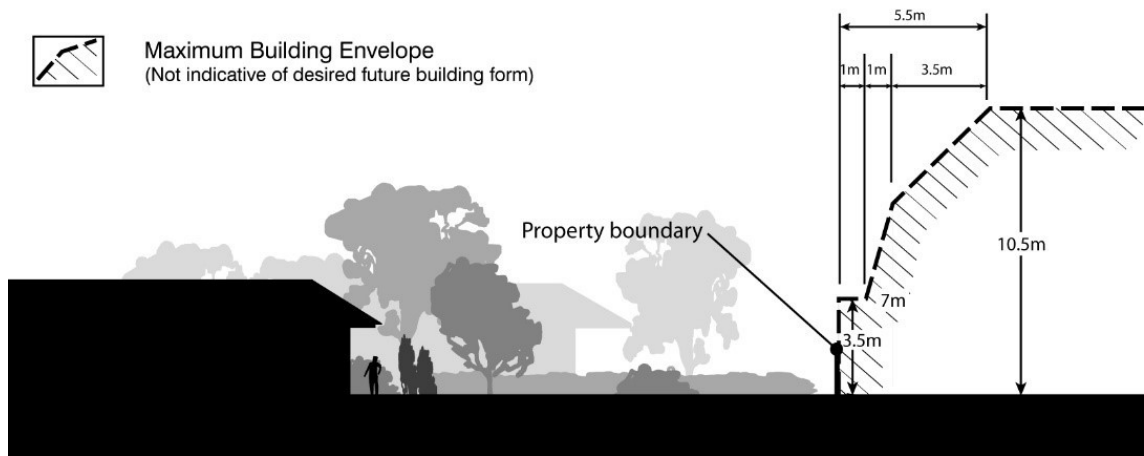
Residential interfaces (side and rear) north of Bay Road

The preferred built form on lots with residential interfaces to the north of Bay Road is:

- A maximum building height of 10.5 metres.
 - A building setback having characteristics as detailed in the diagram below.
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BAYSIDE PLANNING SCHEME

R1 - Residential interfaces (side and rear) north of Bay Road

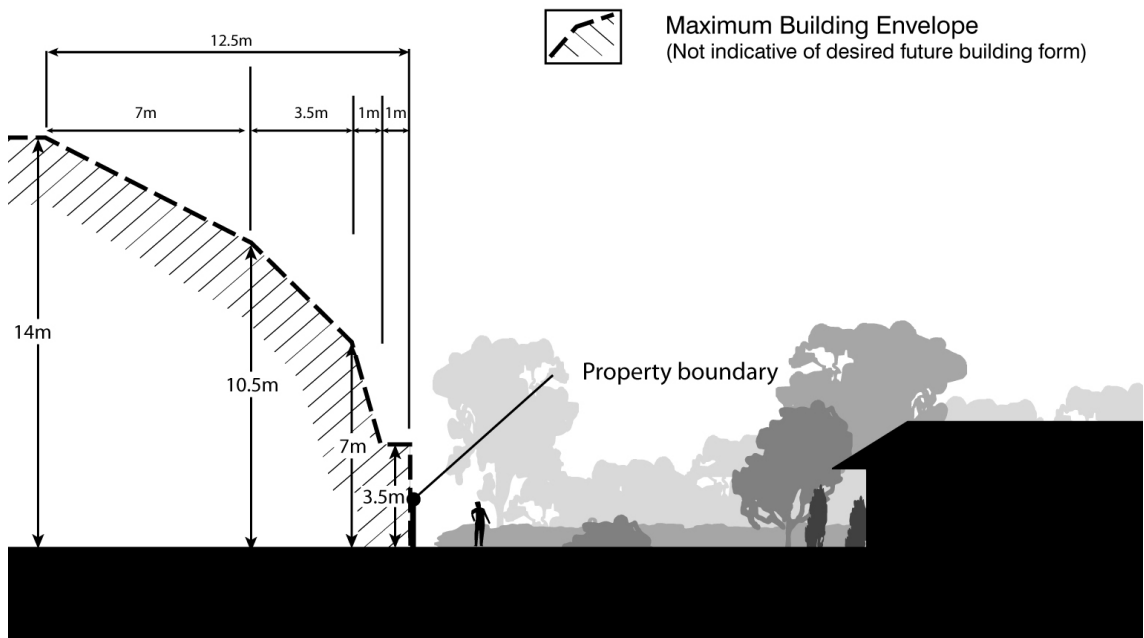


Interface with residential (rear) south of Bay Road

The preferred built form on lots with residential interfaces to the south of Bay Road is:

- A maximum building height of 14 metres.
- A building setback having characteristics as detailed in the diagram below.

R2 - Interface with residential (rear) south of Bay Road

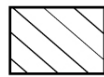


Highett Grassy Woodland

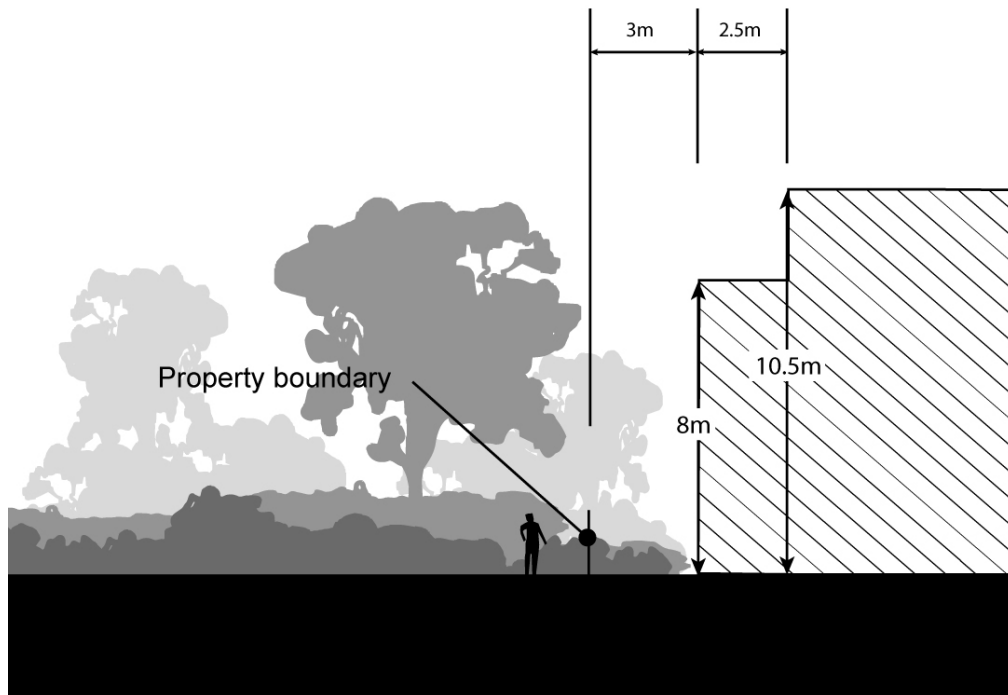
The preferred built form on lots adjoining the Highett Grassy Woodland is:

- A maximum building height of 10.5 metres.
- A building setback that allows a 3 metre wide buffer zone along the perimeter of the Highett Grassy Woodland.
- A building setback having characteristics as detailed in the diagram below.

G1 - Interface with the Hihett Grassy Woodland



Maximum Building Envelope
(Not indicative of desired future building form)

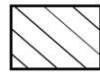


Bay Road Heathland Sanctuary

The preferred built form on lots adjoining the Bay Road Heathland Sanctuary is:

- A maximum building height of 14 metres.
- A building setback that allows a 3 metre wide buffer zone around the perimeter of the Heathland Reserve.
- A building setback having characteristics as detailed in the diagram below.

H1 - Interface with the Bay Road Heathland Sanctuary



Maximum Building Envelope
(Not indicative of desired future building form)



Policy documents

Consider as relevant:

- *Bayside Industrial Area Strategy* (Hansen Partnership-National Economics-CB Richard Ellis-Context Connybeare Morrison, 2004)
- *Bayside Retail Commercial and Employment Strategy* (SGS Economics and Planning, 2016)

Bayside Business District map



ENVIRONMENTAL AND LANDSCAPE VALUES

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

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

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

12.01

31/07/2018
VC148

BIODIVERSITY

12.01-1S30/10/2025
VC291**Protection of biodiversity****Objective**

To protect and enhance Victoria's biodiversity.

Strategies

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

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

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

12.01-1L

13/06/2024
C186bays

Protection of biodiversity

Strategies

Retain significant tree and vegetation cover particularly in areas where trees and plants contribute to habitat, erosion control and absorption of run-off.

Design subdivision to retain links between habitat areas and open space.

Maintain indigenous vegetation forming part of the corridor along the sandbelt (golf club region).

Protect the biodiversity values of the Bay Road Heathland Sanctuary.

Provide landscaping treatments and flora species on properties adjoining the Bay Road Heathland Sanctuary that are compatible with its biodiversity values.

Implement measures to help control pest plants and animals wherever possible.

Protect the biologically significant Highbett Grassy Woodlands.

Ensure the siting of new buildings and works are of minimal impact to the existing environment.

Increase vegetation cover, particularly understorey planting in the public realm to contribute to the biodiversity function, without impacting on accessibility of existing uses.

Encourage the use of species that are resilient to the impacts of climate change.

Policy guideline

Consider as relevant:

- Providing a 3 metre wide, landscaped buffer zone around the perimeter of the Heathland Reserve on adjoining properties.
 - Providing a 3 metre wide buffer zone around the perimeter of the Highbett Grassy Woodland on adjoining properties.
 - Ensure new development does not overshadow the Highbett Grassy Woodland.
-

12.01-2S04/02/2026
VC265**Native vegetation management****Objective**

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

Strategies

Ensure decisions that involve, or will lead to, the removal, destruction or lopping of native vegetation, apply the three-step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of 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 Energy, Environment, and Climate Action, 2025)
-

12.02

06/09/2021
VC171

MARINE AND COASTAL ENVIRONMENT

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

To protect and enhance the marine and coastal environment.

Strategies

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

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

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

Avoid disturbance of coastal acid sulfate soils.

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

12.02-1L

18/06/2021
C180bays

Protection of coastal area viewing points

Strategy

Protect key public viewing points along the foreshore.

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

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

Strategies

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

12.02-3L

18/06/2021
C180bays

Port Phillip Bay

Strategy

Improve the quality of water entering Port Phillip Bay through the installation of litter traps in locations that will maximise water quality with minimal impact on visual or environmental values, including private property.

12.03

31/07/2018
VC148

WATER BODIES AND WETLANDS

12.03-1S20/01/2026
VC278**River and riparian corridors, waterways, lakes, wetlands and billabongs****Policy Application**

This policy applies to land in proximity to a waterway, including all land within 200 metres from the centreline of a waterway.

Objective

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

Strategies

Protect the environmental, cultural and 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.
- Encouraging biodiversity.
- Recognising that waterways are a connected system from source to mouth, including tributaries, confluences, wetlands and billabongs creating a living entity.

Ensure waterway corridors are of adequate width to allow for the natural systems and functions of the environment and landscape to occur while incorporating potential impacts from climate change.

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 hazard 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, volumes 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 hazard of a location.
- Protecting existing topographic features and maintaining a sense of naturalness through sensitive design and siting.
- Recognising the cultural values, aesthetic qualities and identity of waterway systems.

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

BAYSIDE PLANNING SCHEME

- 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 and avoiding overshadowing.
- 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 50 metres from waterway systems.
- Locating development a minimum of 50 metres from the banks of waterway systems.
- The Aboriginal cultural heritage sensitivity and impacts of development within a 200 metre distance from the centreline of a waterway system.
- 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)
 - *Integrated Water Management Framework for Victoria* (Department of Environment, Land, Water and Planning, 2017)
 - *Victorian Waterway Management Strategy* (Department of Environment and Primary Industries, 2013).
-

12.04

31/07/2018
VC148

ALPINE AREAS

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

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

Strategies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

BAYSIDE PLANNING SCHEME

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

12.05

31/07/2018
VC148

SIGNIFICANT ENVIRONMENTS AND LANDSCAPES

12.05-1S

31/07/2018
VC148

Environmentally sensitive areas

Objective

To protect and conserve environmentally sensitive areas.

Strategies

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

12.05-2S

31/07/2018
VC148

Landscapes

Objective

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

Strategies

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

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

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

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

Ensure important natural features are protected and enhanced.

12.06

02/09/2025
VC283

12.06-1S

02/09/2025
VC283

SUSTAINABLE ENVIRONMENT

Urban forests

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)

ENVIRONMENTAL RISKS AND AMENITY

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

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

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

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

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

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

13.01

31/07/2018
VC148

CLIMATE CHANGE IMPACTS

13.01-1S

05/09/2025
VC268

Natural hazards and climate change

Objective

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

Strategies

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

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

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.01-2S05/09/2025
VC268**Coastal inundation and erosion****Objective**

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

Strategies

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

- Any applicable adaptation action plan prepared under the *Climate 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)
-

13.01-2L

18/06/2021
C180bays

Coastal inundation and erosion

Strategy

Design and construct foreshore infrastructure to protect the foreshore and itself from the potential impacts of climate change.

13.01-3S

02/09/2025
VC283

Urban heat

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

31/07/2018
VC148

BUSHFIRE

13.02-1S05/05/2026
VC248**Bushfire planning****Policy application**

This policy must be applied to all planning and decision making under the Act relating to land:

- in a bushfire prone area;
- in 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

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 reliable 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.

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 bushfire prone area map.
- Applying the Bushfire Management Overlay to land 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 the site.
 - Local and neighbourhood conditions - meaning conditions in the area within approximately 5 kilometres of the site.
 - The site and conditions within 150 metres.
- 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.

Plan to strengthen the resilience of settlements and communities through settlement growth, land use and development that prioritises the protection of human life by:

BAYSIDE PLANNING SCHEME

- Assessing the bushfire hazard at different spatial scales (landscape, local and neighbourhood and site), the likely fire behaviour, bushfire risk and the potential for local and neighbourhood-scale destruction.
- Directing population growth and development to low-risk locations, being those where:
 - The risk from large bushfires in the wider landscape can be managed including the risk associated with higher levels of ember attack.
 - On completion, development will not be exposed to high levels of radiant heat, which is no more than 12.5 kilowatts/square metre for locations subject to strategic planning or the preparation of a planning scheme amendment.
 - There is reliable access to areas of land where human life can be better protected from the effects of bushfire.
 - Bushfire protection measures can be provided to manage the on-going risk from bushfire.
- Ensuring alternative low-risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis have been assessed to ensure the proposed location for growth prioritises human life.
- 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.
- Not preparing, adopting or approving a plan that will result in the introduction or intensification of development in an area that has, or will have on completion, a radiant heat exposure of more than 12.5 kilowatts/square metre in the event of a bushfire. In this strategy, 'plan' means a strategic plan, policy statement, and amendment to a planning scheme, including an amendment to the Planning Policy Framework, or a plan approved under a provision of the planning scheme.

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.

When assessing a planning permit application for a use or development that will result in people congregating in large numbers:

- 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; and
- ensure 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)
 - *Design guidelines for settlement planning at the bushfire interface* (Department of Environment, Land, Water and Planning, 2020)
 - The bushfire prone area map.
-

13.03

31/07/2018
VC148

FLOODPLAINS

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

To assist the protection of:

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

Strategies

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

BAYSIDE PLANNING SCHEME

13.04

31/07/2018
VC148

SOIL DEGRADATION

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

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

Strategies

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

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

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

Policy guideline

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

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

Policy documents

Consider as relevant:

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

13.04-2S

31/07/2018
VC148

Erosion and landslip

Objective

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

Strategies

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

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

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

Policy guidelines

Consider as relevant:

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

13.04-3S

31/07/2018
VC148

Salinity

Objective

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

Strategies

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

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

Prevent inappropriate development in areas affected by groundwater salinity.

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.05

31/07/2018
VC148

NOISE

13.05-1S

10/06/2022
VC216

Noise management

Objective

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

Strategy

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.06

31/07/2018
VC148

AIR QUALITY

13.06-1S

14/01/2025
VC237

Air quality management

Objective

To assist the protection and improvement of air quality.

Strategies

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

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

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

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

Policy documents

Consider as relevant:

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

BAYSIDE PLANNING SCHEME

13.07

26/05/2020
VC175

AMENITY, HUMAN HEALTH AND SAFETY

13.07-1S

14/01/2025
VC237

Land use compatibility

Objective

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

Strategies

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

Policy documents

Consider as relevant:

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

13.07-1L-01 Amenity

18/06/2021
C180bays

Strategies

Design commercial buildings at the interface between business and residential precincts to respect the amenity of existing residential uses, particularly in relation to overlooking, overshadowing, noise generating uses and equipment.

Encourage the preparation of master plans for all schools, hospitals, retirement villages and other large institutions to provide greater certainty for both institutions and surrounding residents particularly regarding hours of operation and the provision of parking and drop off areas.

Regulate hours of operation of community facilities and services if necessary to minimise amenity impacts on residential amenity.

13.07-1L-02 Discretionary uses in residential areas

04/05/2022
VC210

Policy application

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

Objectives

To ensure that development responds to the preferred neighbourhood character.

To support discretionary uses in residential areas that serve a local need and do not adversely affect residential amenity.

Location, siting, built form and design strategies

Encourage discretionary uses to locate on sites that:

- Abut a Transport Zone 2 or Transport Zone 3 or collector road.
- Are on a corner.
- Are located on the periphery of commercial areas or adjacent to other discretionary uses to provide a transition between commercial and residential areas.
- Are located near similar community and support facilities.
- Are located within walking distance of public transport and promotes safe and convenient pedestrian access.

Encourage site consolidation where needed to provide adequate on-site parking, landscaping and setbacks.

Encourage use and development that respects the prevailing built form, scale and materials and finishes of surrounding buildings and responds to the preferred neighbourhood character.

Encourage the retention of an existing dwelling.

Design vehicle parking and access areas so they do not form a dominant element in the streetscape.

Locate car parking at the rear of the premises where possible.

Retain existing trees and garden areas on the site.

Location, siting, built form and design policy guidelines

Consider as relevant:

- Front setbacks consistent with the prevailing setbacks in the area and meet requirements at Clause 54.03, Standard A3.
 - Setbacks from side and rear boundaries in accordance with the setback provisions contained in Clause 54.04, Standard A10.
 - Any increase in building height is transitional and represents a height increase of no more than one storey above the prevailing building height.
 - Front fencing at a maximum of 1.2 metres in height. Where Child care centres proposed play areas within the front setback, fencing should not exceed the minimum height required by any relevant legislation.
 - A minimum landscape buffer of 2.0 metres from the side and rear boundaries where car parking abuts an adjoining residential property.
 - A minimum landscape buffer of 3 metres from the front boundary where car parking is located in the front setback unless a narrower buffer can achieve the same density, height and width of screen planting as the minimum buffer.
-

Traffic and carparking strategies

Provide on-site parking that adequately caters for the needs of the use.

Design off street parking areas to allow for entry and exit to the site in a forward direction and restrict the number of vehicle access points.

Provide dedicated pickup/drop off areas for Child care centres.

Support uses that will generate traffic movements appropriate to the street and the locality and will not adversely affect existing traffic patterns and safety.

Traffic and carparking policy guidelines

Consider as relevant:

- Providing car parking as follows:
 - For medical centres: five car parking spaces per practitioner.
 - For child care centres: 0.7 car parking spaces per full time staff member (on site at any one time) and 0.1 car parking spaces per child enrolled.
- Providing at least one disabled car space, with a minimum width of at least 3.2 metres.
- Restricting the number of vehicle access points to one unless two access points are required for the safe, convenient and efficient movement of vehicles.

Sign strategies

Limit signs to what is required for identification purposes.

Minimise sign lighting and only use it when required during business hours.

General amenity strategies

Locate, manage or design uses so that nearby residential properties are not subjected to unreasonable levels of noise.

Design and site waste storage and collection areas in a way that does not prejudice the amenity of nearby residential properties or visually impact the streetscape.

Limit hours of operation so the use does not have an adverse impact on the amenity of the existing residential area including the timing of waste collection.

General amenity policy guidelines

Consider as relevant:

- Acoustic treatments such as acoustic fencing where necessary to mitigate unreasonable noise impacts.
 - Limiting hours of operation as follows:
 - Child care centres
 - Monday – Friday – 7am to 7.30pm
 - Medical centres
 - Monday – Wednesday 8am – 7pm
 - Thursday – Friday 8am – 9pm
 - Saturday 8am – 1pm
 - Sunday and public holidays – closed
 - Whether the locational characteristics of the site, proximity to sensitive residential areas or the potential for off-site impacts should allow for greater or reduced operating hours.
-

13.07-2S

26/10/2018
VC152

Major hazard facilities

Objective

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

Strategies

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

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

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

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

13.07-3S

01/07/2025
VC286

Live music

Objective

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

Strategies

Identify areas where live music venues are encouraged or where there are clusters of live music venues.

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

Policy guidelines

Consider as relevant:

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

NATURAL RESOURCE MANAGEMENT

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

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

14.01

31/07/2018
VC148

AGRICULTURE

14.01-1S

20/03/2023
VC229

Protection of agricultural land

Objective

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

Strategies

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

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

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

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

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

Prevent inappropriately dispersed urban activities in rural areas.

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

Limit new housing development in rural areas by:

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

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

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

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

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

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

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

14.01-1R

31/07/2018
VC148

Protection of agricultural land - Metropolitan Melbourne

Strategy

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

14.01-2S21/09/2018
VC150**Sustainable agricultural land use****Objective**

To encourage sustainable agricultural land use.

Strategies

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

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

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

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

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

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

Facilitate ongoing productivity and investment in high value agriculture.

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

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

Policy documents

Consider as relevant:

- *Victorian Code for Cattle Feedlots* (Department of Agriculture, Energy and Minerals, 1995)
 - *Victorian Code for Broiler Farms* (Department of Primary Industries, 2009, plus 2018 amendments)
 - *Apiary Code of Practice* (Department of Planning and Community Development, 2011)
 - *Planning Guidelines for Land Based Aquaculture in Victoria* (Department of Primary Industries, No. 21, 2005)
 - *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
 - *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
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14.01-3S

20/03/2023
VC229

Forestry and timber production

Objective

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

Strategies

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

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

Ensure protection of water quality and soil.

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

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

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

Policy documents

Consider as relevant:

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

14.02

31/07/2018
VC148

WATER

14.02-1S28/04/2026
VC232**Catchment planning and management****Objective**

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

Strategies

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

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

Retain natural drainage corridors with vegetated buffer zones at least 50 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)
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BAYSIDE PLANNING SCHEME

- *Planning Permit Applications in Special Water Supply Catchment Areas* (Department of Energy, Environment and Climate Action, 2024)
- *Urban stormwater management guidance* (Environment Protection Authority - Publication 1739.1, 2021)

14.02-2S

22/11/2024
VC263

Water quality

Objective

To protect water quality.

Strategies

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

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

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

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

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

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

Policy documents

Consider as relevant:

- *Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020)
 - *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)
 - *Planning Permit Applications in Special Water Supply Catchment Areas* (Department of Energy, Environment and Climate Action, 2024)
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14.02-3S04/02/2026
VC265**Protection of declared irrigation districts****Objective**

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

Strategies

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

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

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

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

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

Policy documents

Consider as relevant:

- *Water for Victoria* (Department of Environment, Land, Water and Planning, 2016)
 - *Central and Gippsland Region Sustainable Water Strategy* (Department of Energy, Environment and Climate Action, 2022)
 - *Northern Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2009)
 - *Western Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
 - *Victorian Government White Paper, Securing Our Water Future Together – Our Water, Our Future* (Department of Sustainability and Environment, 2004)
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14.03

31/07/2018
VC148

EARTH AND ENERGY RESOURCES

14.03-1S19/08/2021
VC196**Resource exploration and extraction****Objective**

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

Strategies

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

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

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

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

Develop and maintain buffers around mining and extractive industry activities.

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

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

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

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

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

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

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

Policy documents

Consider as relevant:

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

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

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

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

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

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

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

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

31/07/2018
VC148

BUILT ENVIRONMENT

15.01-1S

02/09/2025
VC283

Urban design

Objective

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

Strategies

Require development to respond to its context in terms of character, cultural identity 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)

15.01-1R

31/07/2018
VC148

Urban design - Metropolitan Melbourne

Objective

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

Strategies

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

Integrate place making practices into road space management.

Strengthen Melbourne's network of boulevards.

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

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

15.01-1L

31/03/2026
GC270

Urban design

General strategies

Design access to meet the mobility needs of all community members including motorised scooters, wheel chairs and prams.

Design development to maintain safety and security for all users through lighting of pedestrian areas used at night, the location and height of planting, the orientation of buildings and type of fencing.

Retain significant trees including designing and locating buildings and works to protect them.

Promote the incorporation of art in public places.

Encourage permeable fencing on street frontages for private and commercial developments to improve the pedestrian experience and perception of safety.

Maintain and enhance the traditional, fine grain streetscape rhythm and the existing or preferred building scale of activity centres.

Ensure development responds to the spacious, low scale landscaped character of residential precincts outside of Activity Centres - Housing Choice and Stations and land in the Housing Choice and Transport Zone, with residential buildings set back within vegetated front gardens and streetscapes.

Enhance safety, accessibility and appearance of laneway connections and off-street car parks by improving view lines and lighting.

Beach Road/The Esplanade strategies

Design development abutting Beach Road/The Esplanade to complement the foreshore environment and reinforce their role as scenic boulevards.

Seek a consistent approach to the design of Beach Road/The Esplanade infrastructure including vehicle crossings, loading and parking facilities.

Sign strategies

Design signs to be compatible with the style of buildings and the streetscape.

Discourage permanent commercial advertising and promotional signs in public open space.

Ensure signage on recreation reserves is consistent with *Temporary Advertising Signs on Recreation Reserves* (Bayside City Council, 2004 Revised 2018).

Policy document

Consider as relevant:

- *Temporary Advertising Signs on Recreation Reserves* (Bayside City Council, 2004 Revised 2018)
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15.01-2S16/04/2026
VC300**Building design****Objective**

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

Strategies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Encourage development to retain existing vegetation.

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

Policy documents

Consider as relevant:

- *Urban Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2017)
 - *Apartment Design Guidelines for Victoria* (Department of Environment, Land, Water and Planning, 2021)
 - *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019)
 - *Mid-Rise Design Guide* (Department of Transport and Planning, 2026)
-

15.01-2L-01 Energy and resource efficiency

17/11/2023
C187bays

Strategy

Design development to:

- Promote sustainable design measures such as water efficient design and solar access using site layout, design and construction techniques.
- Allow for adaptive re-use in the future.
- Use landscape design to assist with passive solar heating and cooling.
- Make use of buildings and materials with minimal environmental impact, such as recycled materials and re-use of existing buildings.
- Include communal open space areas in larger residential developments.

Policy guideline

Consider as relevant:

- The use of environmental management plans and green travel plans for larger developments to encourage innovative solutions for achieving Environmentally Sustainable Design.
-

15.01-2L-02 Environmentally sustainable development

17/11/2023
C187bays

Policy application

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

Objective

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

Strategies

Facilitate development that minimises environmental impacts.

Encourage environmentally sustainable development that:

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

Energy performance

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

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

Integrated water management

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

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

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

Indoor environment quality

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

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

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

Transport

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

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

Waste management

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

Encourage the use of durable and reusable building materials.

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

Urban ecology

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

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

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

Policy guidelines

Residential

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

- 2 - 9 dwellings.
- A building used for accommodation other than dwellings with a gross floor area between 100 square metres to 1000 square metres.
- An extension to an existing residential building used for accommodation other than dwellings creating between 100 square metres to 1000 square metres of additional gross floor area (excluding outbuildings).

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

- 10 or more dwellings.
- A building used for accommodation other than dwellings with a gross floor area of more than 1000 square metres.
- An extension to an existing residential building used for accommodation other than dwellings creating more than 1000 square metres of additional gross floor area (excluding outbuildings).

Non-residential

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

- A non-residential building with a gross floor area between 100 square metres to 1000 square metres.
- An extension to an existing non-residential building creating between 100 square metres to 1000 square metres of additional gross floor area (excluding outbuildings).

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

- A non-residential building with a gross floor area of more than 1000 square metres.
 - An extension to an existing non-residential building creating more than 1000 square metres of additional gross floor area (excluding outbuildings).
-

Mixed use

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

General

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

- *Sustainable Design Assessment in the Planning Process* (IMAP, 2015)
- *Built Environmental Sustainability Scorecard 'BESS'* (Council Alliance for a Sustainable Built Environment 'CASBE')
- *Green Star* (Green Building Council of Australia)
- *Model for Urban Stormwater Improvement Conceptualisation 'MUSIC'* (Melbourne Water)
- *Nationwide House Energy Rating Scheme 'NatHERS'* (Department of Climate Change and Energy Efficiency)
- *Stormwater Treatment Objective - Relative Measure 'STORM'* (Melbourne Water)
- *Urban Stormwater Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999)
- *Waste Management and Recycling in Multi-unit Developments - Better Practice Guide* (Sustainability Victoria, 2018)

Commencement

This policy does not apply to applications received by the responsible authority before 17 November 2023.

Expiry

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

15.01-3S

01/01/2024
VC250

Subdivision design

Objective

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

Strategies

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

- Creating compact neighbourhoods that have walkable distances between activities.
 - Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
 - Creating neighbourhood centres that include services to meet day to day needs.
 - Creating urban places with a strong sense of place that are functional, safe and attractive.
 - Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
 - Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
-

BAYSIDE PLANNING SCHEME

- 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)
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15.01-3L

18/06/2021
C180bays

Subdivision design

Strategy

Design subdivision of land in residential areas to contribute to the preferred neighbourhood character.

15.01-4S

02/09/2025
VC283

Healthy neighbourhoods

Objective

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

Strategies

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

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

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

09/10/2020
VC169

Neighbourhood character

Objective

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

Strategies

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

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

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

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

15.01-5L

31/03/2026
GC270

Bayside preferred neighbourhood character

Policy application

This policy applies to development in the Neighbourhood Residential Zone, General Residential Zone and Mixed Use Zone as shown on the Neighbourhood character precincts map forming part of this clause. This does not include land affected by the Neighbourhood Character Overlay, the Built Form Overlay or the Significant Landscape Overlay.

General objectives

To retain and enhance the identified elements that contribute to the character of the area.

To ensure that development is responsive both to the site and the preferred future character of the area.

To encourage development that accommodates the need for change around activity centres while respecting the desired future character of the area.

To encourage the retention of dwellings that contribute to the valued character of the Precinct.

To maintain and enhance the garden settings of the dwellings.

To maintain and enhance the bayside vegetation character of the area.

To provide space for front gardens.

To maintain the rhythm of spacing between buildings.

To minimise loss of front garden space and the dominance of car parking facilities, driveways and crossovers.

To respect the dominant building forms and scale of buildings in a precinct.

To ensure that development does not visually dominate the streetscape or adjacent identified heritage buildings.

To ensure that new buildings provide an articulated and interesting façade to the street.

To respect the identified heritage qualities of adjoining buildings.

To use building materials and finishes that complement the dominant pattern within the streetscape or reflect the building materials in locations where there is particular consistency.

To use a variety of building materials and finishes that provide visual interest in the streetscape.

To use building materials and finishes that complement the natural setting in coastal locations.

To maintain and improve the openness of streetscapes and the visual connection between buildings and the street.

To encourage views of front gardens.

General strategies - all precincts

Encourage development to provide innovative architectural responses in responding to the preferred character of a precinct.

Where adjoining an identified heritage building, design development to respect the height, building form, siting, materials and massing of the heritage buildings.

Avoid imitating or reproducing historic building styles and detailing.

Design and site car parking facilities so that they do not dominate the façade or view of the dwelling.

Articulate the form of buildings and elevations, particularly where viewed from the public realm.

Discourage the planting of environmental weeds.

General policy guidelines - all precincts

Consider as relevant:

- Whether the characteristics in the immediate vicinity of the site exemplify a preferred future character that is different from the Precinct in which the site is located.
- Whether the site is located within a Key or Moderate Residential Growth Area as shown on the Residential strategic framework plan at Clause 02.04 and the extent to which this may alter the relevance of the design responses to consideration of the proposal.

Precinct A1 preferred character strategies

Retain wherever possible dwellings from the inter-war era that are intact, in good condition and that contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings in alterations and extensions and design them to be complementary to the building era.

Design development to respect valued older dwellings while not replicating these styles.

Design development to respect the dominant building forms in the Precinct, provide innovative architectural responses with well-articulated façades, use simple detailing and a combination of materials including:

- Articulating the form of buildings and elevations, particularly front façades.
- Recessing upper storey elements from the front façade.
- Using low pitched roof forms, with eaves.
- Using similar tonings in the colours of new buildings where consistent materials are used in the streetscape.
- Avoiding the use of brightly coloured building materials and excessive use of render on external walls in areas of consistent brick materials.

Site buildings to maintain generous front and side setbacks and provide space for the planting of substantial vegetation including large specimen trees.

Locate garages and car ports at or behind the line of the dwelling.

Minimise hard paving in front yards and loss of front garden space.

Provide front fences that are low and open in style, in order to maintain an openness to the streetscape, and consistent with the era and style of the dwelling.

Where high front fences are allowed along heavily trafficked roads, the fence should be set back to allow for buffer planting in front, or incorporate recesses for planting.

Precinct A1 preferred character policy guidelines

Consider as relevant:

- Providing only one vehicular crossover per site frontage, unless the frontage is substantially wider than those that are prevalent in the Precinct.
- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct A2 preferred character strategies

Retain wherever possible dwellings from the pre World War 2 era that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings including alterations and extensions and design them to be complementary to the building era.

BAYSIDE PLANNING SCHEME

Retain existing vegetation and provide for the planting of trees and shrubs wherever possible.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise the loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Minimise the number of vehicular crossovers.

Provide for vehicular access from a rear laneway where possible.

Recess upper level elements from the front façade.

Maintain the consistently pitched roof forms and highly articulated front wall façades form a unified, fine grain subdivision pattern.

Encourage contemporary architectural responses that respect surrounding dominant building styles through adopting, adapting or re-interpreting existing building forms (eg. Façade proportions and articulation, roof forms, plan forms) without copying or reproducing historic building styles or detailing.

Incorporate light materials in building façades including timber or a combination of masonry and non-masonry materials where possible, and render, bag or paint large brick surfaces.

Avoid heavy design detailing (eg. masonry columns and piers) and excessive use of a single masonry material or render on external walls.

Provide low, open style front fences consistent with the era of the dwelling.

Precinct A2 preferred character policy guideline

Consider as relevant:

- Providing a single width crossover, where required and where the pattern is established in the street.

Precinct B1 preferred character strategies

Retain wherever possible pre World War 2 era dwellings that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings including alterations and extensions.

Retain large canopy trees wherever possible.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise loss of front garden space.

Locate garages and car ports behind the line of the dwelling.

Provide vehicular access from a rear laneway where possible, while maintaining pedestrian access from the street frontage.

Recess upper storey elements from the front façade.

Use similar tonings in the colours of new buildings, where consistent materials are used in the streetscape avoiding excessive use of render on external walls.

Provide low, open style front fences consistent with the building era.

Precinct B1 preferred character policy guideline

Consider as relevant:

- Providing only one vehicular crossover per site frontage, unless the frontage is substantially wider than those that are prevalent in the Precinct, where no alternative is available.
-

Precinct B2 preferred character strategies

Retain wherever possible pre World War 2 era dwellings that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings in alterations and extensions.

Retain large canopy trees wherever possible.

Site buildings to allow space for the planting of substantial vegetation.

Site buildings to create the appearance of space between buildings.

Minimise loss of front garden space.

Locate garages and carports behind the line of the dwelling.

Articulate the form of buildings and elevations, particularly front façades.

Recess upper storey elements from the front façade.

Incorporate a variety of building materials such as brick, render, timber and non-masonry into the building design that provide visual interest in the streetscape.

Use simple building details.

Provide low, open style front fences other than along heavily trafficked roads.

Design front fences to be consistent with the building era.

Precinct B2 preferred character policy guidelines

Consider as relevant:

- Providing only one vehicular crossover per site frontage, unless the frontage is substantially wider than those that are prevalent in the Precinct or enable developers to where no alternative is available.
- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct B3 preferred character strategies

Retain large canopy trees wherever possible.

Site buildings to allow space for the planting of substantial vegetation.

Site buildings to create the appearance of space between buildings.

Minimise loss of front garden space.

Locate garages and carports behind the line of the dwelling.

Minimise paving in front garden areas including driveways and crossovers.

Articulate the form of buildings and elevations, particularly front façades and roofs.

Recess upper storey elements from the front façade.

Provide low, open style front fences, other than along heavily trafficked roads.

Encourage the use of vegetation as an alternative to high fences where privacy is required.

Precinct B3 preferred character policy guideline

Consider as relevant:

- Providing only one vehicular crossover per site frontage, unless the frontage is substantially wider than those that are prevalent in the Precinct.
-

Precinct B4 preferred character strategies

Site buildings to allow space for the planting of substantial vegetation.

Encourage contemporary architectural responses to surrounding dominant building styles including using techniques such as:

- Articulated roof forms visible from the street and extending beyond the walls.
- Horizontal and vertical articulation to wall surfaces in building design.

Incorporate a variety of building materials such as brick, render, timber and non masonry into the building design.

Provide low, open style front fences, other than along heavily trafficked roads.

Precinct B5 preferred character strategies

Retain wherever possible dwellings from the pre World War 2 era that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings in alterations and extensions and design them to be complementary to the building era.

Retain existing vegetation and provide for the planting of new trees and shrubs wherever possible.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise the loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Minimise paving in front garden areas including driveways.

Recess upper level elements from the front façade.

Encourage contemporary architectural responses that respect surrounding dominant building styles and fine grain subdivision pattern.

Maintain the pitched roof forms and highly articulated front wall façades.

Encourage contemporary architectural responses that respect surrounding dominant building forms through adopting, adapting or re-interpreting existing building forms (eg. Façade proportions and articulation, roof forms, plan forms) without copying or reproducing historic building styles or detailing.

Incorporate a variety of building materials such as brick, render, timber and non-masonry into the building design.

Use roof materials such as terracotta or red, black or subdued coloured tiles or similar.

Use simple building details.

Provide low, open style front fences other than along heavily trafficked roads.

Design front fences to be consistent with the building era.

Precinct B5 preferred character policy guideline

Consider as relevant:

- Providing only one vehicular crossover per site frontage, unless the frontage is substantially wider than those that are prevalent in the Precinct.

Precinct C1 preferred character strategies

Retain wherever possible dwellings from the pre World War 2 era that are intact, in good condition and contribute to the valued character of the Precinct.

BAYSIDE PLANNING SCHEME

Retain the front of valued existing dwellings in alterations and extensions and design them to be complementary to the building era.

Enhance the bayside vegetation character of the area.

Retain large trees and established native and traditional coastal vegetation and provide for the planting of new indigenous coastal trees where possible.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation and minimise the loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Minimise loss of front garden space.

Minimise paving in front garden areas including driveways.

Recess upper level elements from the front façade.

Encourage the use of a variety of building materials, finishes and design detail that complement the coastal setting.

Avoid high pitched roof forms with dormer windows.

Use a mix of materials including timber, render, non-masonry wall, stone and brick materials in building design.

Minimise the use of heavy materials for external building elements (eg. large masonry columns and piers).

Use simple building details and articulate roof forms.

Provide low, open style front fences other than along heavily trafficked roads.

Create a visually interesting and attractive built form interface with the foreshore reserve, on properties fronting the reserve or visible from the reserve by:

- Articulating the form of buildings and elements, particularly front façades, including elements that lighten the building form such as balconies, verandahs, non-reflective glazing and light-transparent balustrading.
- Avoiding blank walls and highly reflective materials facing the foreshore.
- Using a mix of contemporary and traditional coastal materials, textures and finishes, including render, timber, non-masonry sheeting, glazing, stone and brick and avoiding highly reflective materials or glazing.
- Providing articulated roof forms to create an interesting skyline when viewed from the beach.
- Creating a distinction between public and private spaces along the foreshore by providing a fence or landscaping treatment to delineate the property boundary fronting the foreshore reserve.

Precinct C1 preferred character policy guideline

Consider as relevant:

- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct C2 preferred character strategies

Use landscaping materials and plants within the beachside setback that contribute to the coastal character and amenity of the foreshore reserve.

Site and design buildings to allow views between buildings and accommodate substantial vegetation.

Avoid dwellings that overwhelm the foreshore reserve.

Locate garages and car ports at or behind the line of the dwelling.

BAYSIDE PLANNING SCHEME

Minimise hard paving in front yards.

Encourage contemporary architectural building design that responds to the characteristics of its coastal location.

Articulate the form of buildings and elements, particularly front façades, and include elements that lighten the building form such as balconies, verandahs, non-reflective glazing and light-transparent balustrading.

Avoid heavy design detailing (eg. large masonry columns and piers, solid balustrading).

Avoid blank walls facing the foreshore.

Use building materials and finishes that complement the coastal setting including masonry, timber, other non-masonry wall materials, or render.

Avoid large areas of masonry materials or render on external wall surfaces.

Avoid highly reflective materials or glazing.

Avoid bulky unbroken roof forms and high pitched or mansard roofs with dormer windows.

Create a distinction between public and private spaces along the foreshore by providing a fence or landscaping treatment to delineate the property boundary fronting the foreshore reserve.

Precinct C2 preferred character policy guideline

Consider as relevant:

- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct D1 preferred character strategies

Retain existing large trees wherever possible.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Minimise paving in front garden areas including driveways and crossovers.

Design buildings to respect the low scale horizontal forms and generous side boundary setbacks of the area including by recessing two storey elements and incorporating low pitched roof forms with eaves.

Incorporate design elements into the front façade such as, recessed portions, projecting elements behind the front setback line, combinations of materials, textures or colours or other elements providing articulation.

Where consistent brick colours are used in the streetscape, use similar toning in the colours of new buildings, avoiding brightly coloured external building materials in areas of consistent brick materials.

Use simple building details without replication of older styles.

Design front fences to be open and consistent with the building era.

Precinct D2 preferred character strategies

Retain existing large trees wherever possible.

Minimise loss of front garden space.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

BAYSIDE PLANNING SCHEME

Design buildings so they do not dominate the streetscape including thorough:

- Incorporating articulated roof forms and front or side wall surfaces in new buildings visible from the street.
- Recessing second storey elements from the front façade.

Where consistent brick colours are used in the streetscape, use similar toning in the colours of new buildings, avoiding brightly coloured external building materials in areas of consistent brick materials.

Provide low, open style front fencing, other than along heavily trafficked roads. Where no front fencing predominates, use vegetation as an alternative.

Discourage poorly articulated or visually dominant development fronting the golf course.

Where development directly borders the golf course, recess upper levels from the boundary nearest the open space.

Precinct D3 preferred character strategies

Retain wherever possible dwellings from the pre World War 2 era that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings in alterations and extensions and design them to be complementary to the building era.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation and minimise the loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Minimise paving in front garden areas including driveways.

Recess second storey elements from the front façade.

Incorporate design elements into the front façade such as recessed portions, projecting elements behind the front setback line, combinations of materials, textures or colours or other elements providing articulation.

Reflect the lightness of the streetscape through the use of building materials and finishes such as weatherboard or a combination of masonry and non-masonry wall materials where possible, or render or paint large brick surfaces.

Avoid the excessive use of render on external wall surfaces.

Avoid the use of heavy materials and design detailing (eg. large masonry columns and piers).

Provide low, open style front fences other than along heavily trafficked roads.

Precinct D4 preferred character strategies

Retain large canopy trees wherever possible.

Site buildings to allow space for the planting of substantial vegetation.

Site buildings to create the appearance of space between buildings.

Minimise loss of front garden space.

Locate garages and carports behind the line of the dwelling.

Recess upper storey elements from the front façade.

Provide low, open style front fences, other than along heavily trafficked roads.

Encourage the use of vegetation as an alternative to high fences where privacy is required.

Precinct E1 preferred character strategies

Retain wherever possible dwellings from the pre World War 2 era that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings in alterations and extensions and design them to be complementary to the building era.

Retain large trees and established vegetation and provide for the planting of trees where possible.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise the loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Minimise paving in front garden areas including driveways and crossovers.

Recess second storey elements from the front façade.

Articulate front façades, and provide roofs with eaves.

Encourage building façades to add visual interest to the streetscape through a mix of materials, colours and finishes in building façades, drawn from the palette commonly found in the area.

Avoid excessive use of render or one material on external wall surfaces.

Precinct E2 preferred character strategies

Retain established native and traditional coastal vegetation.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Locate garages and car ports at or behind the line of the dwelling.

Minimise paving in front garden areas including driveways.

Recess upper level elements from the front façade.

Incorporate a pitched roof form with eaves.

Avoid high pitched or mansard roof forms with dormer windows.

Reflect the lightness of the streetscape through use of building materials and finishes.

In streetscapes where weatherboard predominates, incorporate timber or other non-masonry wall materials where possible.

Avoid heavy design detailing (eg. large masonry columns and piers).

Provide low, open style front fences consistent with the building era.

Create a visually interesting and attractive built form interface with the foreshore reserve, on properties fronting the reserve and visible from the reserve by:

- Articulating the form of buildings and elements, particularly front façades, including elements that lighten the building form such as balconies, verandahs, non-reflective glazing and light-transparent balustrading.
- Avoiding blank walls and highly reflective materials facing the foreshore.
- Using a mix of contemporary and traditional coastal materials, textures and finishes, including render, timber, non-masonry sheeting, glazing, stone and brick and avoiding highly reflective materials or glazing.
- Providing articulated roof forms to create an interesting skyline when viewed from the beach.

Precinct E2 preferred character policy guideline

Consider as relevant:

BAYSIDE PLANNING SCHEME

- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct E3 preferred character strategies

Retain wherever possible Inter-War Californian Bungalow style dwellings that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings in alterations and extensions and design them to be complementary to the building era.

Retain large trees and established vegetation where possible and provide space for the planting of new vegetation.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise the loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Minimise paving in front garden areas including driveways.

Recess second storey elements from the front façade.

Incorporate pitched roof forms with eaves.

Use lighter looking building materials and finishes that complement weatherboard where it predominates in the streetscape by incorporating timber or other non-masonry wall materials where possible.

Avoid the use of heavy materials and design detailing where weatherboard predominates (eg. large masonry columns and piers).

Provide medium height, open style front fences other than along heavily trafficked roads.

Design front fences to be consistent with the building era.

Precinct E4 preferred character strategies

Retain established native and traditional coastal vegetation and provide for the planting of indigenous coastal trees.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Locate garages and car ports at or behind the line of the dwelling.

Minimise loss of front garden space and paving in front garden areas including driveways.

Encourage contemporary architectural responses to the coastal location and design buildings to respond to the characteristics of the location and site.

Incorporate building elements and details that contribute to a lightness of structure.

Avoid high pitched roof forms with dormer windows.

Incorporate timber or other non-masonry wall materials where possible, avoiding heavy design detailing (eg. large masonry columns and piers).

Use lighter coloured building materials and finishes.

Avoid excessive use of render on external wall surfaces.

Create a visually interesting and attractive built form interface with the foreshore reserve, on properties fronting the reserve and visible from the reserve by:

BAYSIDE PLANNING SCHEME

- Articulating the form of buildings and elements, particularly front façades, including elements that lighten the building form such as balconies, verandahs, non-reflective glazing and light-transparent balustrading.
- Avoiding blank walls and highly reflective materials facing the foreshore.
- Using a mix of contemporary and traditional coastal materials, textures and finishes, including render, timber, non-masonry sheeting, glazing, stone and brick and avoiding highly reflective materials or glazing.
- Providing articulated roof forms to create an interesting skyline when viewed from the beach.

Precinct E4 preferred character policy guideline

Consider as relevant:

- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct F1 preferred character strategies

Retain wherever possible pre World War 2 era dwellings and inter-war Californian Bungalows that are intact, in good condition and contribute to the valued character of the Precinct.

Retain the front of valued existing dwellings in alterations and extensions and design them to be complementary to the building era.

Retain established trees and vegetation.

Replace any trees removed with species that will grow to a similar height.

Encourage replanting of indigenous sandbelt vegetation.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise loss of front garden space.

Locate garages and car ports at or behind the line of the dwelling.

Recess second storey elements from the front façade.

Avoid high pitched or mansard roof forms with dormer windows.

Reflect the lightness of the streetscape created through the use of a mix of building materials and finishes such as a variety of timber or other non-masonry wall materials where possible.

Avoid heavy design detailing (eg. large masonry columns and piers).

Provide low, open style front fences other than along heavily trafficked roads.

Design front fences to be consistent with the building era.

Create a visually interesting and attractive built form interface with the foreshore reserve, on properties fronting the reserve and visible from the reserve by:

- Articulating the form of buildings and elements, particularly front façades, including elements that lighten the building form such as balconies, verandahs, non-reflective glazing and light-transparent balustrading.
 - Avoiding blank walls facing the foreshore.
 - Using a mix of contemporary and traditional coastal materials, textures and finishes, including render, timber, non-masonry sheeting, glazing, stone and brick and avoiding highly reflective materials or glazing.
 - Providing articulated roof forms to create an interesting skyline when viewed from the beach.
-

Precinct F1 preferred character policy guideline

Consider as relevant:

- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct G1 preferred character strategies

Retain large established trees wherever possible and provide for the planting of new trees.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Incorporate design elements into the front façade design of new dwellings such as recessed portions, projecting elements behind the front setback line, combinations of materials, textures or colours or other elements providing articulation.

Use pitched roof forms with eaves.

Avoid high, solid front fencing.

Precinct G2 preferred character strategies

Retain large established trees wherever possible and provide for the planting of new trees.

Site buildings to accommodate a front garden.

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise impervious surfaces, particularly in the front garden space.

Recess two storey elements from the front façade.

Articulate the form of dwellings and elevations, particularly front façades.

Utilise materials, textures and colours to provide articulation and interest in the building design.

Avoid high, solid front fencing.

Precinct G3 preferred character strategies

Set buildings back to provide space for substantial vegetation and landscaping in front setbacks.

Provide garden areas that include substantial vegetation.

Avoid car parking in front setbacks, including the removal of existing car parking in front setback areas.

Reduce existing site coverage wherever possible while respecting the historically greater site coverage in the Precinct.

Increase the provision of landscaping to strengthen the landscape character of the area and provide an improved interface with surrounding residential areas.

Support the use of more innovative landscaping options such as planter boxes, climbers, creepers and vertical gardens in locations with no or small side or rear boundary setbacks.

Provide balconies and outdoor courtyards with space for vegetation that may be visible from the street.

Discourage the use of impervious surfaces in front, side and rear setbacks other than driveways.

Remove existing commercial or industrial width vehicular crossings and provide standard residential crossover widths.

Locate car parking spaces, garages and car ports to the rear or side of the building.

BAYSIDE PLANNING SCHEME

Design garage doors and car parking structures to integrate with the building, its colours and materials.

Design building façades and roof forms to complement the nearby residential area.

Design the following elements to respect the preferred neighbourhood character of the surrounding residential area:

- Façade articulation and detailing.
- Materials, finishes and colours.
- A pitched roof form.

Incorporate design elements into the front façade such as recessed portions, projecting elements behind the front setback line, combinations of materials, textures or colours or other elements providing articulation.

Provide a low, permeable residential style front fence or no front fence, or vegetation as an alternative to fencing.

Precinct G3 preferred character policy guidelines

Consider as relevant:

- Walls of buildings set back a minimum of 6 metres from any street frontage or sideage.
- Where existing buildings are to be re-used, increasing the permeable area available on-site for landscaping, without increasing the building site coverage if over 60 per cent.
- A building site coverage not exceeding 60 per cent in new developments.
- Providing no more than one vehicular crossover per residential site width street frontage or sideage.
- A front fence of up to 1.2 metres in height where fencing is proposed.

Precinct H1 preferred character strategies

Retain established large trees; the area's native and traditional coastal vegetation; and provide for the planting of new native coastal trees (locate footings outside root zone).

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise impervious surfaces particularly in front garden areas and loss of front garden space.

Locate garages and carports behind the line of the dwelling.

Recess upper level elements from the front façade.

Use pitched roof forms.

Use a mix of materials, textures and finishes including render, timber, non-masonry sheeting, glazing, stone and brick.

Provide low, open style front fences, other than along heavily trafficked roads.

Precinct H2 preferred character strategies

Retain large, established trees wherever possible and provide for the planting of new indigenous trees and shrubs (locate footings outside root zone).

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Minimise impervious surfaces, particularly in the front garden.

Locate garages and carports at or behind the line of the dwelling.

BAYSIDE PLANNING SCHEME

Incorporate design elements into the front façade such as recessed portions, projecting elements behind the front setback line, pitched roof forms, combinations of materials, textures or colours or other elements providing appropriate articulation.

Recess upper levels from the front façade.

Use a mix of materials, textures and finishes including render, timber, non-masonry sheeting, glazing, stone and brick.

Provide low, open style front fencing, other than along heavily trafficked roads.

Use vegetation as an alternative means of fencing where possible.

Precinct H3 preferred character strategies

Retain large established trees and understorey, and provide for the planting of new indigenous trees wherever possible (locate footings outside root zone) in order to strengthen the bushy garden character of the area.

Minimise impervious surfaces particularly in front garden spaces to ensure space for plantings.

Site buildings to create the appearance of space between buildings and provide adequate space to accommodate substantial vegetation.

Minimise loss of front garden space.

Locate garages and carports behind the line of the dwelling.

Minimise site disturbance and impact of the building on the landscape.

Design buildings to follow the contours of the site on sloping sites.

Minimise the use of retaining walls and battering of slopes near vegetation or near boundaries, unless it will facilitate a less intrusive built form.

Design buildings and extensions so as not to exceed the predominant tree canopy height.

Incorporate design elements into the front façade design of new dwellings such as recessed portions, projecting elements behind the front setback line, combinations of materials, textures or colours or other elements providing articulation.

Recess upper levels from the front façade.

Use a mix of materials, textures and finishes including render, timber, non-masonry sheeting, glazing, stone and brick.

Provide low, open style front fences, other than along heavily trafficked roads.

Use vegetation as an alternative means of fencing where possible.

Precinct H3 preferred character policy guideline

Consider as relevant:

- Underground car parking accessed from the front of the site should only be provided where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct H4 preferred character strategies

Retain large, established trees wherever possible and provide for the planting of new indigenous trees and shrubs (locate footings outside root zone).

Site buildings to create the appearance of space between buildings and accommodate substantial vegetation.

Avoid the use of exotic plant species.

Locate garages and carports behind the line of the dwelling.

BAYSIDE PLANNING SCHEME

Minimise paving in front garden areas including driveways and crossovers.

Encourage innovative architecture that reflects the bayside setting and design buildings to respond to the characteristics of the location and site.

Incorporate building elements and details that contribute to a lightness of structure including balconies, verandahs, glazing and light transparent balustrading.

Avoid heavy design detailing (eg. Masonry columns and piers) and highly reflective materials or glazing.

Use a mix of contemporary and traditional coastal materials, textures and finishes including render, timber, non-masonry sheeting, glazing, stone and brick.

Provide open style front fencing.

Create a visually interesting and attractive built form interface with the foreshore reserve, on properties fronting Beach Road and visible from the reserve by:

- Ensuring dwellings present visually interesting elevations on all faces visible from the public domain, where properties front both Beach Road and another street.
- Using landscaping materials and coastal plants within the front setback that contribute to the coastal character and amenity of the street.
- Providing articulated roof forms to create an interesting skyline when viewed from the beach.
- Providing low or open style front fencing along Beach Road frontages.

Precinct H4 preferred character policy guideline

Consider as relevant:

- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct H5 preferred character strategies

Minimise impervious surfaces, particularly in front yard spaces.

Site buildings to create the appearance of space between buildings and provide adequate space to accommodate substantial vegetation.

Locate garages and carports behind the line of the dwelling.

Recess second storey elements from the front façade.

Use low pitched roof forms with eaves.

Use a mix of materials, textures and finishes including render, timber, non-masonry sheeting, glazing, stone and brick.

Provide low, open style front fencing, other than along heavily trafficked roads.

Use vegetation as an alternative means of fencing where possible.

Precinct H6 preferred character strategies

Retain established native and traditional coastal vegetation where possible and provide for the planting of new native coastal trees and shrubs (locate footings outside root zone).

Site buildings to create the appearance of space between buildings and provide space to accommodate substantial vegetation.

Minimise impervious surfaces particularly in front garden spaces.

Minimise loss of front garden space.

Locate garages and car ports behind the line of the dwelling.

BAYSIDE PLANNING SCHEME

Provide for reasonable sharing of views to the bay and coast by siting buildings should to take into account the view corridors to the bay and coast from nearby properties and public viewing areas.

Encourage innovative architectural responses to the coastal location and design buildings to respond to the characteristics of the location and site.

Incorporate building elements, materials and details that contribute to a lightness of structure including balconies, verandahs, glazing and light transparent balustrading.

Use a mix of materials, textures and finishes including render, timber, non-masonry sheeting, glazing, stone and brick.

Provide low, open style front fences, other than along heavily trafficked roads.

Precinct H6 preferred character policy guideline

Consider as relevant:

- Underground car parking accessed from the front of the site only where other options are not possible due to site constraints, the garage doors do not dominate the façade and the front setback area is retained as predominantly garden space.

Precinct H7 preferred character strategies

Retain large, established trees and provide for the planting of new trees and shrubs wherever possible (locate footings outside root zone).

Limit use of exotic plant species.

Site buildings to create the appearance of space between buildings and provide space to accommodate substantial vegetation.

Minimise impermeable surfacing, particularly in the front yard.

Locate garages and carports behind the line of the dwelling.

Recess upper level elements from the front façade.

Use low pitched or flat roof forms.

Design buildings to follow the contours of the site on sloping sites to minimise visual intrusion.

Use a mix of materials, textures and finishes including render, timber, non-masonry sheeting, glazing, stone and brick that complement the area's natural environment.

Provide low, open style front fences, other than along heavily trafficked roads.

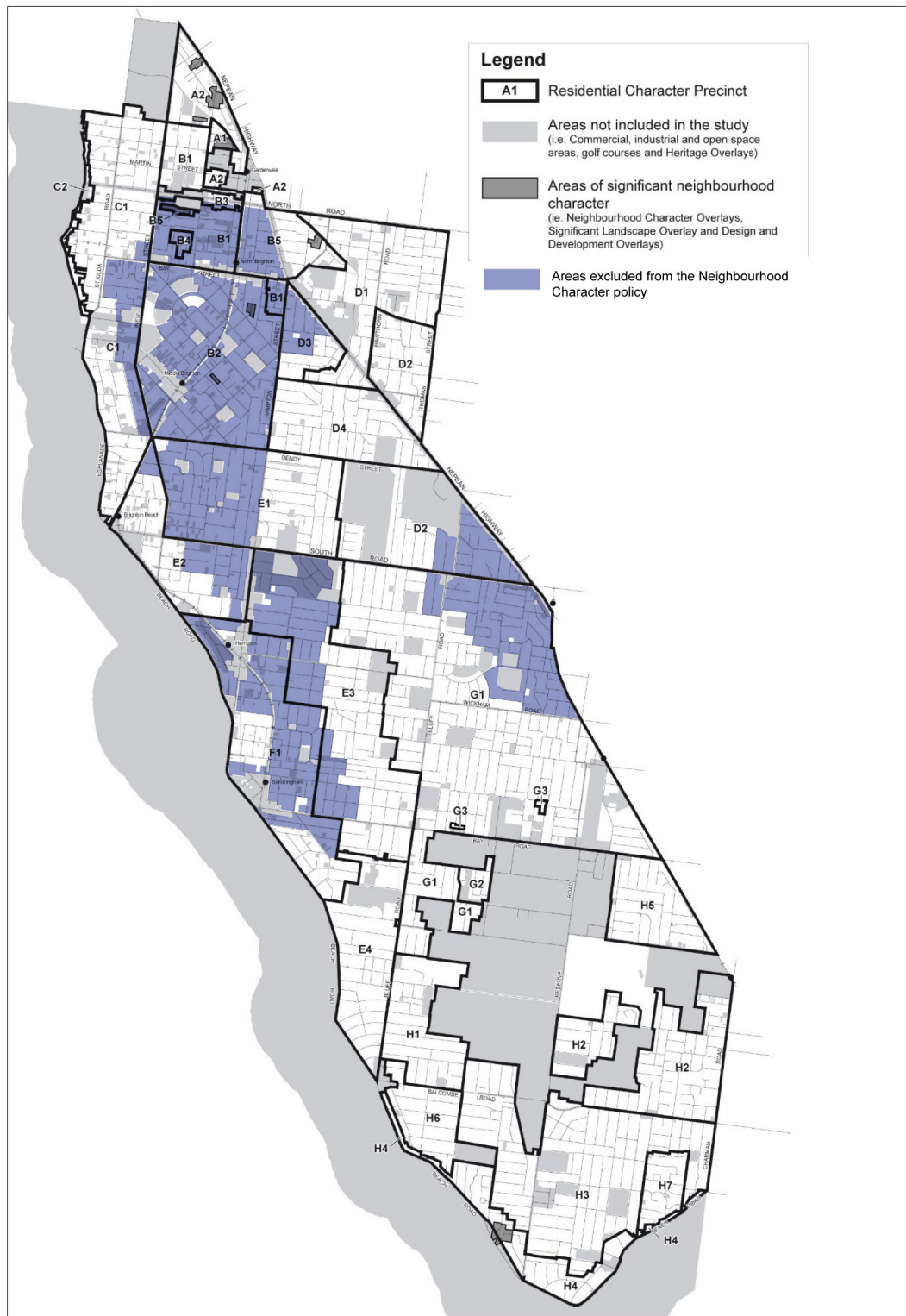
Policy documents

Consider as relevant:

- *Bayside Neighbourhood Character Review* (Planisphere, 2004)
 - *Bayside Neighbourhood Character Review Precinct Brochures* (Planisphere, 2006)
 - *Bayside Neighbourhood Character Review – Stage 2 Final Report* (Planisphere, 2008, Revised 2011)
 - *City of Bayside Highett Neighbourhood Character Review* (Planisphere, 2011)
-

BAYSIDE PLANNING SCHEME

Neighbourhood character precincts map



15.01-6S

31/07/2018
VC148

Design for rural areas

Objective

To ensure development respects valued areas of rural character.

Strategies

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

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

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

15.02

10/06/2022
VC216

[NO CONTENT]

15.02-1S

10/06/2022
VC216

[NO CONTENT]

15.03

31/07/2018
VC148

HERITAGE

15.03-1S

02/09/2025
VC283

Heritage conservation

Objective

To ensure the conservation of places of heritage significance.

Strategies

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines

Consider as relevant:

- The findings and recommendations of the Victorian Heritage Council.

Policy documents

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

15.03-1L09/10/2025
C192bays**Heritage conservation****Policy application**

This policy applies to all properties affected by a Heritage Overlay.

Demolition strategies

Discourage the demolition of significant and contributory heritage buildings unless it can be demonstrated that:

- The building is structurally unsound.
- The original fabric of the building has deteriorated to such an extent that a substantial reconstruction would be required to make the building habitable.
- The replacement building displays design excellence.
- If located in a heritage precinct, the replacement building clearly and positively supports the ongoing heritage significance of the precinct.

Allow the partial demolition of significant and contributory heritage buildings where the fabric to be demolished is of no significance or where the demolition helps to reveal the original fabric of the building.

Allow the partial demolition of significant and contributory heritage buildings for the purpose of additions, only if the additions will not affect the heritage significance of the building and the proposed addition is sympathetic to its scale and form.

Allow the demolition of non-contributory buildings in heritage precincts.

Retain significant vegetation.

Subdivision strategies

Ensure that the subdivision and any resulting development of heritage places does not adversely affect the heritage significance of the place.

Support subdivision of heritage places resulting in development that retains and extends the existing built form pattern where such pattern contributes to the significance of the heritage place.

Maintain the historic settings and contexts for significant and contributory heritage buildings, trees and gardens.

Design subdivision to give visual prominence to significant and contributory heritage buildings over new development.

Design subdivision to complement and be consistent with the rhythm and pattern of buildings in heritage precincts.

Avoid subdivision where it will adversely affect the important views of, and the interrelationship between, groups of significant or contributory heritage buildings.

Design subdivision so that the location of boundaries and building envelopes do not threaten significant vegetation. New boundaries should not bisect the root or canopy zone of significant vegetation.

Retain gardens and established trees, that contribute to the setting of a significant or contributory heritage building or precinct in the same allotment as the building.

Restoration strategies

Conserve the external features of significant and contributory heritage buildings.

Encourage the restoration and reconstruction of the original or early appearance of contributory fabric, particularly when seen from the street.

BAYSIDE PLANNING SCHEME

Retain original fabric.

Discourage the painting of unpainted surfaces.

Undertake the restoration of contributory fabric using the same materials as the original.

Alterations and additions strategies

Conceal alterations and additions to significant and contributory heritage buildings from adjoining streets, where possible.

Design alterations and additions to a significant or contributory heritage buildings, where it is impossible to conceal them to have a low visual impact and not detract from the significance of the heritage place.

Set back ground floor alterations and additions to significant and contributory heritage buildings behind the front wall of the building in order to allow the façade to retain its primacy and integrity, particularly when viewed from the street.

Maintain the integrity of the architectural character of the building when designing alterations and additions to significant and contributory buildings.

Maintain the spatial qualities (such as setbacks, areas for landscaping) and consistency of styles and materials in the heritage precinct.

Design alterations, additions and works to be complementary and not overwhelm significant and contributory heritage buildings.

Retain as much of the original fabric and layout as possible when designing alterations and additions to significant and contributory buildings.

Design alterations and additions to significant and contributory heritage buildings to be compatible in terms of historical character, materials, size, proportions, mass, height, setback, texture, colour, plan configuration, solid to void ratio and other features of the building and, where relevant, the heritage precinct.

Avoid the replication of historic detail in alterations and additions.

Support the use of new materials and design details in alterations and additions provided that they are complementary to the significance of the heritage place.

Distinguish the fabric of alterations and additions from the original fabric of a significant or contributory heritage building.

Design ground floor alterations and additions to significant and contributory heritage buildings to not exceed the height of the ground floor of the existing building.

Design alterations and additions to preserve principal view lines to significant and contributory heritage buildings.

Avoid building elements such as dormer windows, porticos and verandahs on significant and contributory heritage buildings unless part of a deliberate attempt to reinstate early features known to have existed on the building.

Retain the profile of visible sections of the roofline of significant and contributory heritage buildings without altering them.

Policy guidelines

Consider as relevant:

- A setback of at least 3-4 metres for any ground floor additions to significant or contributory heritage buildings. Greater setbacks may be required on large or corner blocks where generous side setbacks allow more oblique views.
 - Locating alterations and additions to significant and contributory heritage buildings behind the front façade:
-

BAYSIDE PLANNING SCHEME

- For first floor alterations and additions to single storey buildings on narrow sites an eight metre setback behind the principal façade is generally sufficient to maintain visual emphasis on the original façade. This setback is usually appropriate for Victorian or Federation buildings where it ensures the preservation of the original ridge line and chimney.
- For first floor alterations and additions on sites of average or greater width, a setback behind the principal façade of greater than eight metres may be required. In the case of inter-War and late Federation houses, low roof pitches and broad frontages combine to make it difficult for first floor additions to be fully obscured. Some degree of visibility may be permissible depending upon the integrity of the building, the surrounding streetscape and the compatibility of proposed new forms.

New buildings in residential precincts strategies

Design development in heritage precincts to respect the architecture and historic character of the heritage place and make a positive contribution to its built form and amenity.

Maintain the scale, massing, form and siting of existing contributory buildings in heritage precincts when designing buildings.

Design buildings adjacent to contributory buildings to be sympathetic to the significance and character of the contributory building and the precinct.

Use interpretive design based on historical characteristics while avoiding the replication of historic detail in buildings.

Support buildings designed in a contemporary in style provided they adopt an understated character and do not visually dominate adjacent contributory buildings or the heritage precinct in terms of size, height or bulk.

Design buildings to relate to and use as reference points the materials, colour and details of adjacent buildings and the surrounding precinct.

Support the use of new materials where they are complementary to the significance of the heritage place.

Design buildings so that they are not be taller than adjacent contributory buildings unless located in a heritage precinct where a pronounced variation in building height already exists.

Orient buildings to relate positively to contributory buildings, period features, open space and subdivision patterns throughout the heritage place.

Set back buildings the same distance from the front boundary as adjacent contributory buildings. Where there are two adjacent contributory buildings with different setbacks, the new building should be set back the average distance of those adjacent. Where one adjacent building is contributory and the other adjacent building is non-contributory, a setback consistent with the contributory building should be applied.

Provide side setbacks of buildings that are consistent with the rhythm of the streetscape or precinct.

Design buildings to not obscure views to contributory buildings or their features.

Design individual architectural elements such as roof forms and fenestration to complement existing styles without reproducing them.

Design proportions and spacing of door and window openings to relate to those of adjoining contributory buildings and the surrounding precinct.

Commercial precincts strategies

Design and locate any upper level additions and works to be respectful of the scale and form of the existing heritage place or contributory elements to the heritage place and, where relevant, the heritage precinct as a whole.

BAYSIDE PLANNING SCHEME

Design buildings so they do not dominate adjacent significant or contributory heritage places or the precinct as a whole.

Set back higher building additions from lower heritage built form elements.

Incorporate design treatments that make additions less apparent.

Design buildings to be of a height and form that respects any adjoining significant or contributory building.

Front fences strategies

Retain original and contributory fences.

Design and construct fences in a manner that is sympathetic to and contributes positively to the significance of the heritage place.

Design and construct fences so they do not obscure views to the front façade of significant or contributory heritage places from adjacent streets.

Design and construct fences at a scale and with materials that are consistent with the architectural period of the significant or contributory heritage building, or in the case of non-contributory buildings, the precinct.

Encourage the reconstruction of fences where the design details and materials of an original fence are known.

Encourage fencing where the original design details and materials are not known to take cues from original fences within the precinct or properties in heritage places from the same architectural period.

Front fences policy guideline

Consider as relevant:

- Only allowing a fence to exceed 1.2 metres in height or be constructed of solid materials if this is consistent with the architectural period of the building or precinct.

Car parking strategies

Design car parking facilities so that they do not dominate heritage places.

Set carports and garages back behind the front façade of a building.

Avoid the introduction of new crossovers.

Car parking policy guidelines

Consider as relevant:

- Driveways and crossovers should not exceeding a single car width.
- Restricting the number of crossovers per allotment to no more than one.
- Constructing crossovers where approved, with materials and profiles to match existing crossovers within the precinct.

Ancillary services strategies

Ensure that ancillary services do not disturb, alter or diminish the significance of a heritage place.

Site all ancillary services, including satellite dishes, air conditioning plants, solar heating systems, garbage facilities and the like, so they are concealed from the street.

General policy guideline

Consider as relevant:

- Where there is more than one statement of significance adopted by the responsible authority in relation to a heritage place, giving priority to the most recently adopted statement of significance.

Policy documents

Consider as relevant:

- *City of Brighton Urban Character and Conservation Study* (Perott Lyon Mathieson, Andrew Ward, Michael Sandford, 1986)
- *City of Sandringham Heritage and Conservation Study* (Andrew C Ward Associates, 1989)
- *City of Bayside Heritage Review* (Allom Lovell & Associates, 1999)
- *City of Bayside Heritage Review (Revision 1)* (Allom Lovell & Associates, 2003)
- *City of Bayside Review of Heritage Precincts* (Bryce Raworth, 2008)
- *City of Bayside Inter-war and Post-war Heritage Study* (Heritage Alliance, 2008)
- *City of Bayside Review of Heritage Precincts in Activity Centres* (Bryce Raworth, Revised 2012)
- *City of Bayside Two Individual Citations* (Bryce Raworth, Revised 2012)
- *City of Bayside Heritage Review: Brighton Town Hall Precinct* (Built Heritage 2013)
- *Heritage Review 'Greenfield' ('Tullavin'), 453 New Street, Brighton* (David Helms Heritage Planning, 2014)
- *Heritage Review Lindsay House, 9 Boxhall Street Brighton* (David Helms Heritage Planning, 2014)
- *Tara (former Greenock) 31-33 Eliza Street, Black Rock Heritage Assessment* (David Helms Heritage Planning, 2022)
- *City of Bayside Post-War Modern Residential Heritage Study* (GJM Heritage, May 2024)

15.03-2S

31/07/2018
VC148

Aboriginal cultural heritage

Objective

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

Strategies

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

- *Aboriginal Heritage Act 2006*
-

HOUSING

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

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

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

16.01

31/07/2018
VC148

RESIDENTIAL DEVELOPMENT

16.01-1S16/04/2026
VC300**Housing supply****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 services (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)
- *Mid-Rise Design Guide* (Department of Transport and Planning, 2026)

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

BAYSIDE PLANNING SCHEME

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
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BAYSIDE PLANNING SCHEME

Barwon			
Colac Otway	3,700	-	-
Greater Geelong	128,600	51,100	77,500
Queenscliffe	400	-	-
Surf Coast	8,000	-	-
Central Highlands			-
Ararat	1,000	-	-
Ballarat	46,900	18,900	28,000
Golden Plains	12,500	-	-
Hepburn	3,150	-	-
Moorabool	20,000	-	-
Pyrenees	1,300	-	-
Gippsland			-
Bass Coast	19,250	-	-
Baw Baw	25,700	-	-
East Gippsland	11,000	-	-
Latrobe	13,000	-	-
South Gippsland	8,000	-	-
Wellington	8,000	-	-
Goulburn			
Greater Shepparton	15,250	-	-
Mitchell	66,000	56,000	10,000
Moir	4,500	-	-
Murrindindi	3,350	-	-
Strathbogie	2,400	-	-
Great South Coast			
Corangamite	1,400	-	-
Glenelg	1,400	-	-
Moyne	2,900	-	-
Southern Grampians	1,250	-	-
Warrnambool	7,200	-	-
Loddon Campaspe			

BAYSIDE PLANNING SCHEME

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

16.01-1R04/02/2026
VC265**Housing supply - Metropolitan Melbourne****Strategies**

Create development opportunities to meet housing targets, population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- In and around the Central City.
- Metropolitan activity centres and their residential catchments.
- Priority Precincts, including Suburban Rail Loop East Precincts.
- Activity centres - Housing Choice and Stations.
- Areas for residential growth.
- Areas for greyfield renewal, particularly through opportunities for land consolidation.
- Established areas close to existing services, jobs and public transport.
- Neighbourhood activity centres - especially those with good public transport connections.
- Areas near existing and proposed railway stations that can support transit-oriented development.

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

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

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

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

16.01-1L

31/03/2026
GC270

Housing supply

Strategy

Provide for increased diversity and density of housing to meet the needs of the community and increased activity in activity centres and land in the Housing Choice and Transport Zone, including:

- Encouraging the use, renovation and development of dwellings above commercial uses.
 - Adding to or replacing single storey buildings with new multi-storey buildings to provide additional housing opportunities in business precincts and zones and land in the Housing Choice and Transport Zone.
 - Encouraging redevelopment of larger sites for higher density residential dwellings.
 - Encouraging the more efficient use of built form through the consolidation of sites and construction of basement car parks.
 - Discouraging the replacement and construction of single dwellings.
-

16.01-2S

02/09/2025
VC283

Housing affordability

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)
-

16.01-2L

08/06/2023
C184bays

Housing affordability

Strategy

Support opportunities to increase the provision of affordable housing on sites across Bayside through:

- The rezoning of land that allows for residential or mixed uses.
- Negotiated affordable housing agreements with landowners, including section 173 agreements under the Act.
- Partnerships with the development industry, public sector agencies, the community housing sector including registered housing agencies, and other alternative housing providers.

Policy documents

Consider as relevant:

- *Bayside Affordable Housing Strategy* (Bayside City Council, 2021)
-

16.01-3S

09/10/2020
VC169

Rural residential development

Objective

To identify land suitable for rural residential development.

Strategies

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

16.01-4S

04/11/2022
VC226

Community care accommodation

Objective

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

Strategies

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

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

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

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

Strategies

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

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

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

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

Encourage planning for housing that:

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

ECONOMIC DEVELOPMENT

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

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

17.01

31/07/2018
VC148

EMPLOYMENT

17.01-1S

31/07/2018
VC148

Diversified economy

Objective

To strengthen and diversify the economy.

Strategies

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

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

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

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

17.01-1R

02/09/2025
VC283

Diversified economy - Metropolitan Melbourne

Strategies

Support the Central City to become Australia's largest commercial and residential centre by 2050, by planning for office, retail, residential, education, health, entertainment and cultural activity spaces.

Plan for the redevelopment of Priority Precincts and Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses.

Provide a mix of uses within Suburban Rail Loop Precincts and prioritise higher density development.

Avoid development in Suburban Rail Loop Precincts that would impede opportunities for significant future growth.

Facilitate the development of Employment and Innovation Areas by ensuring they:

- Have a high level of amenity to attract businesses and workers.
- Are supported by good public transport services and integrated walking and cycling paths.
- Maximise investment opportunities for the location of knowledge intensive firms and jobs.

Support the employment and servicing role of Health and Education Precincts by:

- Focussing on improving access, particularly public transport access.
- Encouraging co-location of facilities to better utilise existing infrastructure.
- Supporting and facilitating growth of associated businesses and industries.
- Reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.

Support diverse employment generating uses, including offices, innovation and creative industries in identified areas within regionally significant industrial precincts, where compatible with adjacent uses and well connected to transport networks.

Consider how land use change proposals can respond to local and regional employment demand or identify how it can be accommodated elsewhere.

Plan for industrial land in suitable locations to support employment and investment opportunities.

Facilitate investment in Melbourne's outer areas to increase local access to employment.

17.01-1R

03/03/2023
VC215

Diversified economy - Metropolitan Melbourne - Inner South East Metro Region

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

17.01-2S

04/10/2018
VC149

Innovation and research

Objective

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

Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

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

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

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

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

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

17.02

31/07/2018
VC148

COMMERCIAL

17.02-1S

15/03/2024
VC256

Business

Objective

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategies

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Locate commercial facilities in existing or planned activity centres.

Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.

Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.

Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.

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

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

17.02-2S

31/07/2018
VC148

Out-of-centre development

Objective

To manage out-of-centre development.

Strategies

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

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

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

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

17.02-2L

18/06/2021
C180bays

Out-of-centre retail development

Strategy

Apply a sequential test approach to out-of-centre retail developments prioritising locations in the following order:

- In designated activity centres.
 - Immediately adjoining an activity centre.
 - Visually related to an activity centre.
 - Limited relationship to an activity centre.
 - No relationship to an activity centre but with good agglomeration potential (as a future activity centre).
 - No relationship to an activity centre but with the potential to stimulate investment in the municipality.
-

17.03

31/07/2018
VC148

INDUSTRY

17.03-1S

14/01/2025
VC237

Industrial land supply

Objective

To ensure availability of land for industry.

Strategies

Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.

Identify land for industrial development in urban growth areas where:

- Good access for employees, freight and road transport is available.
- Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.

Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.

Preserve locally significant industrial land for industrial or employment generating uses, unless long-term demand for these uses can be demonstrably met elsewhere.

Avoid non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

Policy documents

Consider as relevant:

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

17.03-2S

14/01/2025
VC237

Sustainable industry

Objective

To facilitate the sustainable operation of industry.

Strategies

Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.

Encourage activities with minimal threshold requirements to locate towards the perimeter of the industrial area.

Minimise inter-industry conflict and encourage like industries to locate within the same area.

Protect industrial activity in industrial zones from the encroachment of commercial, residential and other sensitive uses that would adversely affect industry viability.

Encourage industrial uses that meet appropriate standards of safety and amenity to locate within activity centres.

Support the retention of small-scale industries servicing established urban areas through appropriate zoning.

Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.

Policy documents

Consider as relevant:

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

17.03-3S

02/09/2025
VC283

Significant industrial land

Objective

To protect significant industrial land.

Strategies

Protect state significant industrial precincts from incompatible land uses to allow for future growth. State significant industrial precincts include but are not limited to:

- Southern Industrial Precinct - Dandenong South.
- Northern Industrial Precinct - Campbellfield, Somerton and Thomastown.
- Western Industrial Precinct - Laverton North and Derrimut.
- Officer / Pakenham Industrial Precinct.
- Port of Hastings Industrial Precinct.

Ensure sufficient availability of strategically located land for major industrial development, particularly for industries and storage facilities that require significant threshold distances from sensitive or incompatible uses.

Protect heavy industrial areas from inappropriate development and maintain adequate buffer distances from sensitive or incompatible uses.

Policy documents

Consider as relevant:

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

17.03-3R

02/09/2025
VC283

Regionally significant industrial land - Metropolitan Melbourne

Strategies

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

Support the transition from manufacturing land uses to other employment uses in strategically identified areas well connected to transport networks, especially in Suburban Rail Loop Precincts.

17.03-3R

02/09/2025
VC283

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

Strategy

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

Prioritise higher employment generation within Suburban Rail Loop precincts.

17.04

31/07/2018
VC148

TOURISM

17.04-1S

31/07/2018
VC148

Facilitating tourism

Objective

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

Strategies

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

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

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

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

Policy guidelines

Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents

Consider as relevant:

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

17.04-1R

31/07/2018
VC148

Tourism in Metropolitan Melbourne

Objective

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

Strategies

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

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

17.04-2S20/03/2023
VC229**Coastal and maritime tourism and recreation****Objective**

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

Strategies

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

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

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

Ensure sites and facilities are accessible to all.

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

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)
-

BAYSIDE PLANNING SCHEME

- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*
- *Recreational Boating Facilities Framework July 2014 - Central Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

Policy documents

Consider as relevant:

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

TRANSPORT

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

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

18.01

09/12/2021
VC204

LAND USE AND TRANSPORT

18.01-1S

04/02/2026
VC265

Land use and transport integration

Objective

To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

Strategies

Plan and develop a transport system that facilitates:

- Social and economic inclusion for all people and builds community wellbeing.
- The best use of existing social and economic infrastructure.
- A reduction in the distances people have to travel to access jobs and services.
- Better access to, and greater mobility within, local communities.
- Network-wide efficiency and coordinated operation.

Plan land use and development to:

- Protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset.
- Protect transport infrastructure that is in delivery from encroachment or detriment that would impact on the construction or future function of the asset.
- Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation.
- Protect identified potential transport infrastructure from being precluded by land use and development.

Plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term.

Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity.

Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands.

Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.

Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.

Reserve land for strategic transport infrastructure to ensure the transport system can be developed efficiently to meet changing transport demands.

Support urban development that makes jobs and services more accessible:

- In accordance with forecast demand.
- By taking advantage of all available modes of transport.

Protect existing and facilitate new walking and cycling access to public transport.

Locate major government and private sector investments in 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.

BAYSIDE PLANNING SCHEME

- 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

18/06/2021
C180bays

Land use and transport planning

Strategies

Concentrate land use and development that increases housing density, employment and visitation in accessible locations that offer the greatest access to public transport and facilitate walking and cycling.

Co-locate compatible land uses to reduce trip numbers and lengths, provide viable transport choice and encourage walking and cycling between activities.

Locate and design community facilities and improvements to open spaces so that they can be safely and conveniently accessed by public transport, walking and cycling.

Minimise potential conflict between all users of the transport system so that facilities introduced to benefit one category of user are not detrimental to the convenience, accessibility or safety of other users.

Encourage development to improve connections to the foreshore from public transport terminals.

18.01-2S02/09/2025
VC283**Transport system****Objective**

To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

Strategies

Plan and develop a transport system integrated across all movement networks that:

- Facilitates the efficient, coordinated and reliable movement of people and goods at all times.
- Optimises transport system capacity.
- Improves connectivity and facilitates the growth and development of regional Victoria.
- Improves connectivity between Victoria's 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.

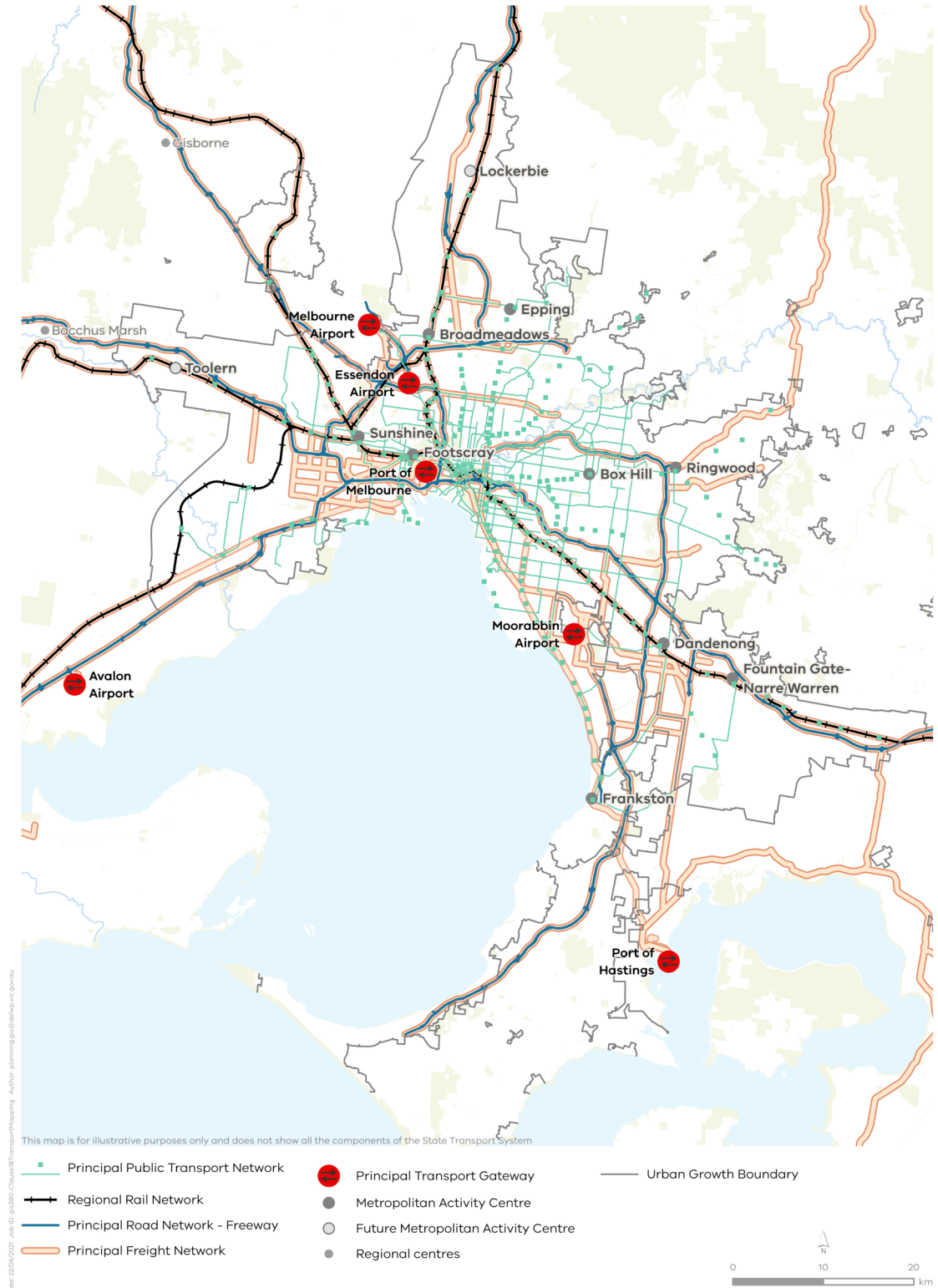
Policy documents

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)

BAYSIDE PLANNING SCHEME

State Transport System – Metropolitan Melbourne Plan



BAYSIDE PLANNING SCHEME

State Transport System – Regional Victoria Plan



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

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

Strategies

Plan and develop the transport system to:

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

Plan the transport system to be safe by:

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

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

Design the transport system to be accessible to all users.

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

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

Policy documents

Consider as relevant:

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

18.01-3R

09/12/2021
VC204

Sustainable and safe transport - Metropolitan Melbourne

Strategies

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

18.01-3L

09/12/2021
VC204

Sustainable personal transport

Strategies

Design streets and development to not impede access for pedestrians and cyclists, or public and community transport.

Design development so that it does not remove or significantly lengthen pedestrian and cycling routes or access to public and community transport.

Prioritise pedestrian and cycling access to, through and within the development, including providing mid-block links through large development sites.

Provide for bicycle parking in activity centres and along the foreshore.

Link bicycle and walking routes to the Principal and Municipal Bicycle Network and Principal Pedestrian Network in a way that respects the existing local streetscape.

Locate and design walking and cycling routes to take into account environmental constraints such as flooding so that users are not at risk.

Connect open spaces and key community destinations to encourage walking and cycling.

Facilitate improvements to the bicycle network in the southern part of the municipality.

18.02

31/07/2018
VC148

MOVEMENT NETWORKS

18.02-1S

09/12/2021
VC204

Walking

Objective

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

Strategies

Plan and develop walking networks to:

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

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

Provide walking infrastructure in all major transport projects.

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

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

Policy documents

Consider as relevant:

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

18.02-2S02/09/2025
VC283**Cycling****Objective**

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

Strategies

Plan and develop cycling networks to:

- Provide routes that are safe, comfortable, low-stress and well connected.
- Enable cycling as a part of everyday life.
- Enable people to meet more of their needs locally by cycling and to rely less on their cars.
- Accommodate emerging forms of low emission, low and moderate speed personal transport.

Protect and develop the Principal Bicycle Network to provide high-quality cycling routes that are direct and connected, to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Develop Strategic Cycling Corridors by:

- Integrating them with stations and major interchanges on the public transport network that serve places of state significance.
- Integrating them with the central city, 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 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)
-

18.02-3S18/12/2025
VC277**Public transport****Objective**

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

Strategies

Plan and develop public transport to:

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

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

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

Facilitate public transport infrastructure in all major transport projects.

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

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

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

Policy documents

Consider as relevant:

- *Car Parking Requirement Maps* (Department of Transport and Planning, December 2025)
 - *Principal Public Transport Network* (State Government of Victoria, 2017)
 - *VicTrack Rail Development Interface Guidelines* (VicTrack, 2019)
 - *Public Transport Guidelines for Land Use Development* (Department of Transport, 2008)
-

18.02-3R

09/12/2021
VC204

Principal Public Transport Network

Strategies

Facilitate high-quality public transport access to job-rich areas.

Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

Identify and plan for new Principal Public Transport Network routes.

Support the Principal Public Transport Network with a comprehensive network of local public transport.

Plan for local bus services to provide for connections to the Principal Public Transport Network.

Improve the operation of the Principal Public Transport Network by providing for:

- A metro-style rail system.
- Extended tram lines and the establishment of a light rail system.
- Road space management measures including transit lanes, clearways, stops and interchanges.

18.02-3L

09/12/2021
VC204

Public transport

Strategies

Encourage development to improve integration between walking, cycling, other vehicles and public transport at public transport stops and interchanges.

Facilitate enhanced accessibility to public transport services including through the provision of commuter parking and cycle storage facilities to meet the needs of users.

Facilitate the provision and retention of safe, attractive and direct pedestrian routes throughout activity centres and around railway stations to encourage people to walk and use public transport.

18.02-4S18/12/2025
VC277**Roads****Objective**

To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

Strategies

Plan and develop the road network to:

- Ensure people are safe on and around roads.
- Improve people's perceptions of safety on and around roads.
- Improve road connections for all road users.
- Facilitate the use of public transport, cycling and walking.
- Integrate new and emerging technologies into road design, including the increasing connectivity and automation of vehicles.
- Accommodate the expansion of the High Productivity Freight Vehicle Network, and oversize and overmass vehicles.

Protect and develop the Principal Road Network to:

- Provide high mobility for through traffic and the efficient movement of freight by facilitating adequate movement capacity and speeds.
- Improve cross-town arterial links in outer suburbs and growth areas, including circumferential and radial movement to facilitate access to jobs and services.
- Limit access points to high-volume, high-speed roads by utilising urban design techniques such as service roads and internal connector roads.
- Improve high-capacity on-road public transport.

Develop declared freeways to:

- Link Melbourne with major regional cities, major interstate locations and other key locations important to the economy along major national and state transport corridors.
- Connect and provide access to Principal Transport Gateways and freight-generating areas.
- Improve connections to 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.
-

BAYSIDE PLANNING SCHEME

- 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:

- *Car Parking Requirement Maps* (Department of Transport and Planning, December 2025)
 - *Victorian Road Safety Strategy 2021-2030* (Department of Transport, 2021)
 - *Movement and Place in Victoria* (Department of Transport, February 2019)
-

18.02-4L

09/12/2021
VC204

Road system

Strategies

Facilitate safe movement of vehicles, pedestrians, cyclists and other users along Beach Road/The Esplanade.

Encourage loading and unloading facilities to be provided at the rear of commercial sites.

Reinstate unused crossovers to minimise detrimental impacts on pedestrian and vehicular circulation.

18.02-4L

18/06/2021
C180bays

Car parking

Strategies

Facilitate laneway widening, connectivity and visibility for the provision of off-street car parking where possible.

Provide car parking to satisfy the needs of residents and their visitors and other road users.

Preserve access to on street car parking for shoppers, traders, disabled persons, workers, commuters and tourists in areas of high demand such as around railway stations, activity centres and the foreshore.

Avoid development that would reduce existing numbers of public parking spaces in activity centres and along the coast.

Provide off-street car parking and drop-off areas that are adequate to meet the needs of institutional uses.

18.02-5S09/12/2021
VC204**Freight****Objective**

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

Strategies

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

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

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

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

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

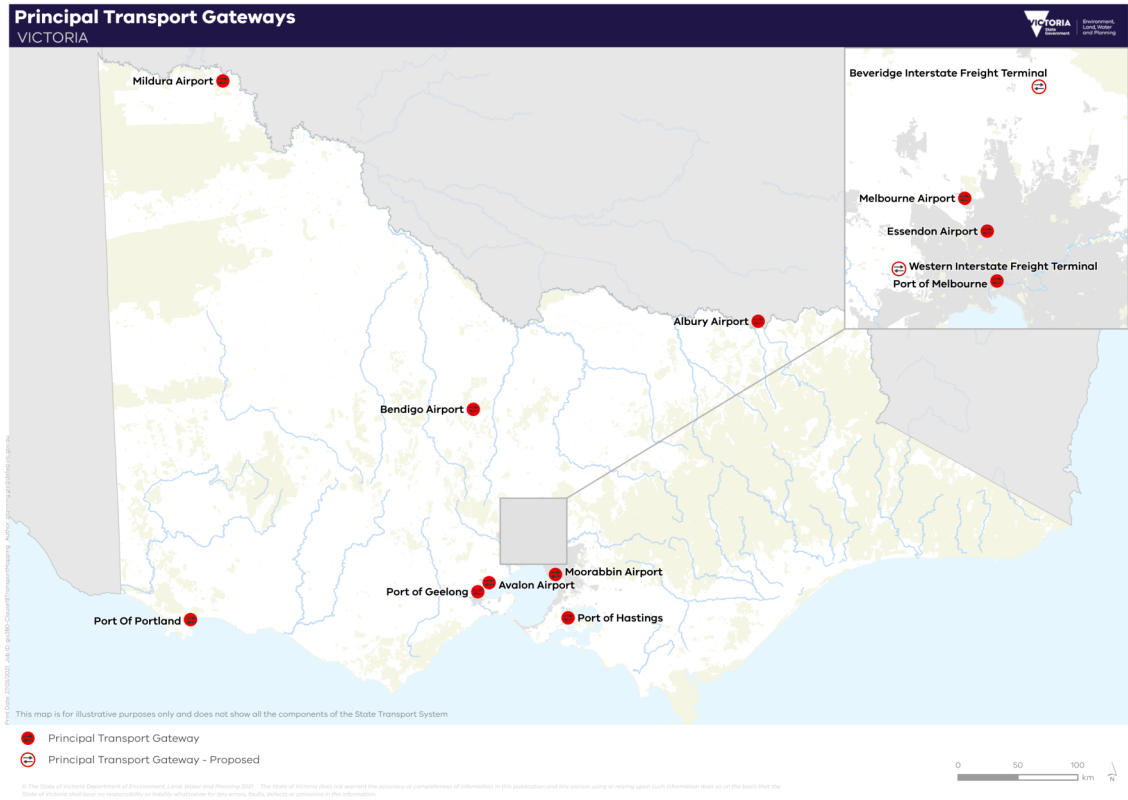
- Allocating land for complementary uses and employment-generating activities, such as distribution and warehousing.
- Reserving and appropriately zoning land for interstate freight terminals to support development that allows for the direct and immediate delivery of goods to market.
- Allocating land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

Policy documents

Consider as relevant:

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



18.02-5R

09/12/2021
VC204

Freight links - Metropolitan Melbourne

Strategy

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

18.02-6S09/12/2021
VC204**Ports****Planning for ports objective**

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

Planning for ports strategies

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

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

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

Planning for port environs objective

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

Planning for port environs strategies

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

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

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

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

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

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

Ensure that any use or development within port environs:

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

Policy documents

Consider as relevant:

- *Statement of Planning Policy No 1 - Western Port* (1970-varied 1976)
 - *2018 Port Development Strategy* (Port of Hastings Development Authority, December 2018)
 - *Port of Geelong Port Development Strategy 2018* (Victorian Regional Channels Authority, 2018)
 - *2050 Port Development Strategy, 2020 edition* (Port of Melbourne, 2020)
 - *Port of Portland – Port Development Strategy* (Port of Portland, 2019)
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18.02-7S18/05/2022
VC218**Airports and airfields****Objective**

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

Strategies

Protect airports and airfields from incompatible land use and development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents

Consider as relevant:

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

18.02-7R

20/03/2023
VC229

Melbourne Airport

Strategies

Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation or optimum usage.

Policy documents

Consider as relevant:

- *Melbourne Airport Master Plan 2022* (Australia Pacific Airports (Melbourne) Pty Ltd)
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*

INFRASTRUCTURE

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

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

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

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

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

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

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

19.01

31/07/2018
VC148

ENERGY

19.01-1S05/09/2025
VC268**Energy supply****Objective**

To facilitate appropriate development of energy supply infrastructure.

Strategies

Support the development of energy generation, storage, transmission, and distribution infrastructure to transition to a low-carbon economy.

Develop appropriate infrastructure to meet community demand for energy services.

Ensure energy generation, storage, transmission and distribution infrastructure and projects are resilient to the impacts of climate change.

Facilitate the production and distribution of zero emission gases and fuels.

Support energy infrastructure projects in locations that minimise land use conflicts, 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)
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19.01-2S05/09/2025
VC268**Renewable energy****Objective**

To support the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Strategies

Facilitate renewable energy development in appropriate locations, 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)
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19.01-2R

31/07/2018
VC148

Renewable energy - Metropolitan Melbourne

Strategy

Facilitate the uptake of renewable energy technologies on a site-by-site and neighbourhood level during the master planning of new communities and in green wedge and peri-urban areas.

19.01-3S

31/07/2018
VC148

Pipeline infrastructure

Objective

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

Strategies

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

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

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

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

19.02

31/07/2018
VC148

COMMUNITY INFRASTRUCTURE

19.02-1S

31/07/2018
VC148

Health facilities

Objective

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

Strategies

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

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

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

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

19.02-1R

31/07/2018
VC148

Health precincts - Metropolitan Melbourne

Strategies

Facilitate health and community wellbeing precincts through the co-location of:

- Hospitals, allied health services and not-for-profit health providers at the regional level.
- General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.

Create health precincts in new suburbs in or close to town centres.

Ensure health precincts are well serviced by community services.

19.02-2S

29/09/2022
VC222

Education facilities

Objective

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

Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

Co-locate a kindergarten facility with all new Victorian Government primary schools.

19.02-2R

31/07/2018
VC148

Education precincts - Metropolitan Melbourne

Strategy

Ensure education precincts are well serviced by community services.

19.02-3S

31/07/2018
VC148

Cultural facilities

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.

19.02-3R

31/07/2018
VC148

Cultural facilities - Metropolitan Melbourne

Strategies

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

19.02-4S

31/07/2018
VC148

Social and cultural infrastructure

Objective

To provide fairer distribution of and access to, social and cultural infrastructure.

Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

19.02-4L

18/06/2021
C180bays

Community infrastructure

Strategies

Locate new community facilities near public transport interchanges and on pedestrian and cycle priority networks, that is, the Principal Bicycle Network, Municipal Bicycle Network or the Principal Pedestrian Network.

Maintain the appearance and local function of community facilities and their effectiveness in servicing a growing and diverse population.

Facilitate the development and use of private facilities for community uses where they are compatible.

Maximise the use of existing public facilities and promote the collaborative use of private facilities.

Minimise the impact on residential amenity and the surrounding environment in the development and operation of community facilities.

Encourage the potential for the CSIRO site to include community purposes to service local needs as part of any redevelopment.

19.02-5S

31/07/2018
VC148

Emergency services

Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

19.02-6S

31/07/2018
VC148

Open space

Objective

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

19.02-6R14/04/2025
VC281**Open space - Metropolitan Melbourne****Objective**

To strengthen the integrated metropolitan open space network.

Strategies

Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

Ensure major open space corridors are protected and enhanced.

Develop open space networks in growth areas and in the surrounding region of Metropolitan Melbourne, where existing open space is limited and demand is growing, including:

- Cardinia Creek Parklands.
- Cranbourne Regional Park.
- Kororoit Creek Corridor.
- Quarry Hills Regional Park.
- Chain of Parks - Sandbelt.
- Sunbury Regional Park - Jacksons Creek Valley.
- Toolern Creek Regional Park.
- Werribee Township Regional Park.

Create continuous open space links and trails along the:

- Frankston parklands (linking existing parks from Carrum to Mornington).
- Maribyrnong River parklands.
- Merri Creek parklands (extending to Craigieburn).
- Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee).
- Birrarung (Yarra River) parklands (extending from Warrandyte to the Port Phillip Bay).

Provide long term planning protection to meet demand for future open space along the Plenty Gorge parklands, Yarra Valley parklands, Cardinia Creek parklands, Heatherton/Dingley 'Sandbelt' parklands and Dandenong Valley parklands.

Protect the metropolitan water's edge parklands from intrusion and encroachment of development that impacts on open space and their natural landscape setting.

Continue development of the Birrarung (Yarra River) Inner City reach, identified in clause 12.03-1R Map 1, as a focus for sport, entertainment and leisure.

Support establishing community gardens and productive streetscapes.

Policy documents

Consider as relevant:

- *Open Space for Everyone: Open Space Strategy for Metropolitan Melbourne 2021* (Department of Environment, Land, Water and Planning, 2021)
 - *Maribyrnong River – Vision for Recreational and Tourism Development* (Melbourne Parks and Waterways, 1996)
 - *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)
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19.02-6L-01 Open space

21/09/2022
C160bays

Strategies

Provide a range of open space experiences and functions within each suburb.

Provide a balance of active and passive recreation opportunities.

Restrict the enclosure of public open space.

Connect recreational links with regional open space systems and opportunities beyond Bayside's boundaries.

Provide for a range of leisure experiences appropriate to the character, facilities and environmental capacity of the foreshore.

Improve open space in suburbs with a current or projected deficiency as a priority.

As part of any redevelopment of 36-40 Graham Road, Highett, require a public open space link to be delivered through the site to link the Lyle Anderson Reserve and the new public open space to be provided on the CSIRO site. This link must be direct, legible and provide a strong visual and pedestrian link between the Lyle Anderson Reserve and the public open space to be provided on the CSIRO site.

Policy guidelines

Consider as relevant:

- If any new use or development of open space may compromise or conflict with the defined prime function for that open space and address any potential impacts.
- Improving trail networks and entering into arrangements with other open space owners to help alleviate deficiencies in the open space network.
- Prioritising the acquisition of land in Highett and Black Rock for new open space over other suburbs in the municipality if opportunities arise.
- Where possible, providing all residents and workers with access to either a local park, active open space or the foreshore reserve within 400 metres walking distance.

Policy document

Consider as relevant:

- *Bayside Open Space Strategy* (Bayside City Council, 2012)
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19.02-6L-02 Public open space contributions

18/06/2021
C180bays

Policy application

This policy applies to applications for the subdivision of land where a public open space contribution is required.

Objective

To identify when and where land contributions for public open space may be sought in preference to financial contributions or vice versa.

Strategies

Provide funding towards the acquisition of land for new usable public open space in areas that are currently deficient in public open space provision, as identified in the Deficiencies in open space in Bayside map forming part of this policy.

Provide land for new public open space areas, particularly in and around Moderate and Key Focus Residential Growth Areas as defined in the Residential strategic framework plan at Clause 02.04-1.

Identify early in the planning process suitable land to be set aside, as part of the design of new development, in order to satisfy the public open space contribution requirement.

Ensure land that is counted towards a public open space contribution to be unencumbered land.

Policy guidelines

Consider as relevant:

- Where a land contribution is made for new public open space as part of the subdivision that:
 - Land to be used for new public open space located outside of a Moderate and Key Focus Residential Growth Area has a minimum total area of 0.9 hectare, or adjoins an existing public open space. Land is to be accessible to the broader community for a range of structured and unstructured recreational uses.
 - Land to be used for new public open space located in a Moderate or Key Focus Residential Growth Area, is suitable for use as public open space and appropriately integrated within the subdivision so as to be safe, useable, accessible to the broader neighbourhood, manageable and improve local amenity even though the area may be less than 0.9 hectare.
- That land counted towards a public open space contribution is unencumbered. Unencumbered land includes land that is not any of the following:
 - Subject to a 1 in 100 year floodway.
 - Land that would be excluded from development due to the need to conserve flora and fauna values.
 - Contaminated.
 - Steeply sloping (i.e. greater than one in three slope) or subject to landslide.
 - Affected by a servicing easement (e.g. including but not limited to high voltage power lines, water pipe and sewer easements).
- Accepting additional contributions of encumbered land provided over and above a public open space contribution made under Clause 53.01.

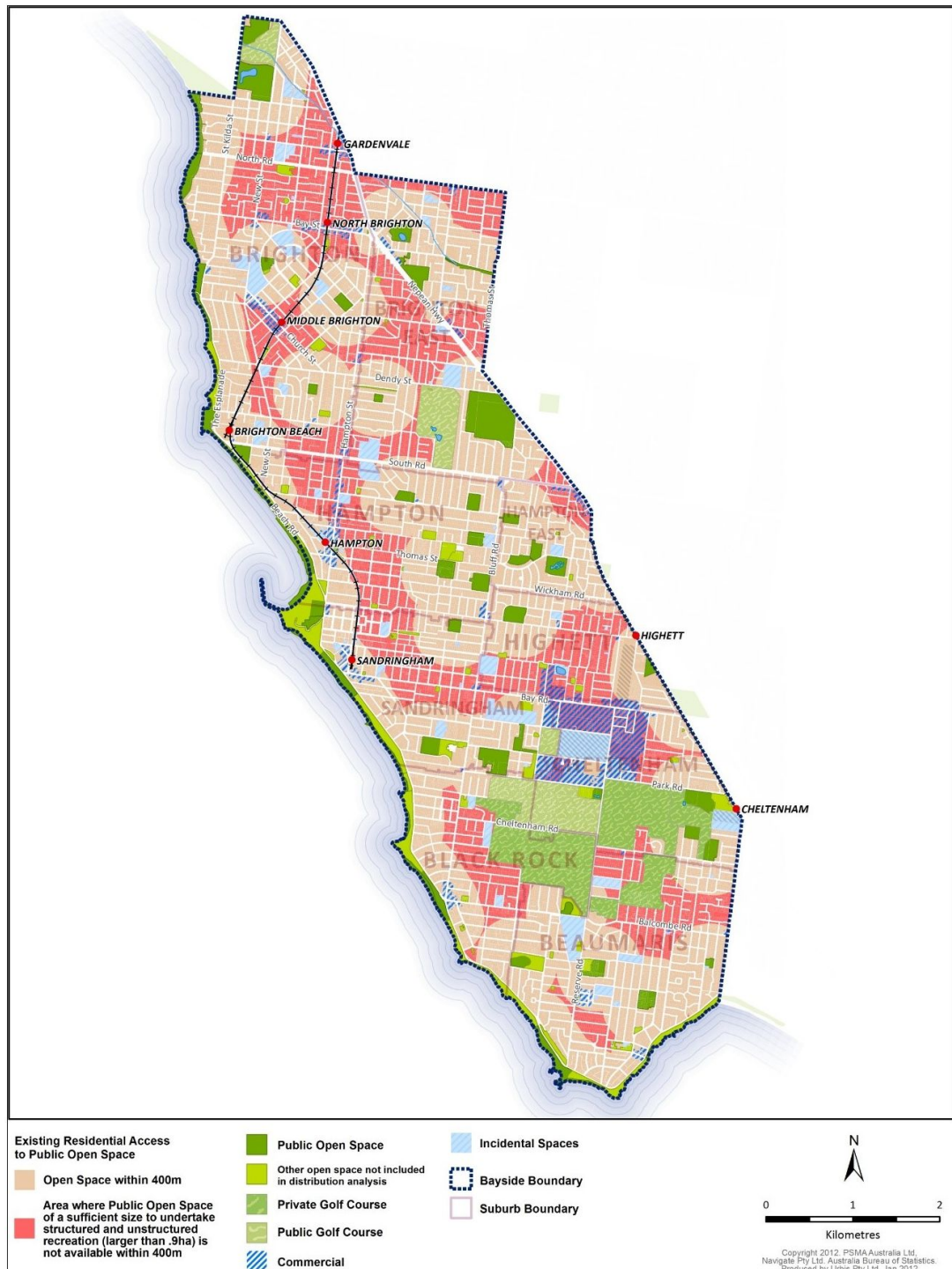
Policy documents

Consider as relevant:

BAYSIDE PLANNING SCHEME

- *Bayside Open Space Strategy* (Bayside City Council, 2012)
- *Bayside Open Space Strategy: Suburb Analysis and Action plan* (Bayside City Council, 2012)

Deficiencies in open space in Bayside map



19.03

31/07/2018
VC148

DEVELOPMENT INFRASTRUCTURE

19.03-1S

24/01/2020
VC160

Development and infrastructure contributions plans

Objective

To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.

Strategies

Prepare development contributions plans and infrastructure contributions plans, under the *Planning and Environment Act 1987*, to manage contributions towards infrastructure.

Collect development contributions on the basis of approved development and infrastructure contributions plans.

Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Policy documents

Consider as relevant:

- *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 -as amended 2007)
 - *Infrastructure Contributions Plan Guidelines* (Department of Environment, Land, Water and Planning, November 2019)
 - *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans*
 - *Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans*
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19.03-2S

09/10/2020
VC169

Infrastructure design and provision

Objective

To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Strategies

Provide an integrated approach to the planning and engineering design of new subdivision and development.

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

19.03-3S04/02/2026
VC265**Integrated water management****Objective**

To sustainably manage water supply and demand, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies

Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

Ensure that the use and development of land identifies and appropriately responds to potential environmental risks, and contributes to maintaining or improving the environmental quality of water and groundwater.

Policy guidelines

Consider as relevant:

- Any applicable Sustainable Water Strategy endorsed under Division 1B of Part 3 of the *Water Act 1989*.

Policy documents

Consider as relevant:

- *Water for Victoria - Water Plan* (Victorian Government, 2016)
 - *Environment Reference Standard* (Gazette No. S 245, 26 May 2021)
 - *Urban stormwater management guidance* (Environment Protection Authority - Publication 1739.1, 2021)
 - *Planning Permit Applications in Special Water Supply Catchment Areas* (Department of Energy, Environment and Climate Action, 2024)
 - *Victorian guideline for water recycling* (Environment Protection Authority - Publication 1910, March 2021)
 - *Technical information for the Victorian guideline for water recycling* (Environment Protection Authority - Publication 1911, March 2021)
-

19.03-3L-01 Integrated water management

18/06/2021
C180bays

Strategies

Restrict site coverage and hard surface area where the drainage capacity is limited and the area is subject to flooding.

Encourage recycling of stormwater for use on gardens and nature strips.

Manage the impact of increased development on the quantity and quality of stormwater drainage into the environment.

19.03-3L-02 Water sensitive urban design

18/06/2021
C180bays

Policy application

This policy applies to an application for an extension or alteration of an existing building of greater than 50 square metres in floor area.

Objective

To promote the use of water sensitive urban design, including stormwater re-use.

Strategy

Design stormwater quality treatment measures to prevent litter being carried to receiving waters. This includes, appropriate design of waste enclosures and use of gross pollutant traps for development with potential to generate significant amounts of litter.

Policy guidelines

Consider as relevant:

- Best practice water quality performance objectives as set out in the *Urban Stormwater Best Practice Environmental Management Guidelines* (CSIRO, 1999).
- The use of an industry accepted performance measurement tool in determining compliance with best practice stormwater management.
- The level of ongoing management required to achieve and maintain the desired stormwater quality.
- Implementing measures used during the construction phase to prevent a loss of stormwater quality as a result of building activities, such as silt traps.

Policy documents

Consider as relevant:

- *Water Sensitive Urban Design Compliance Guidelines for New Development* (Bayside City Council, 2009)
- *Water Sensitive Urban Design - Engineering Procedures: Stormwater* (Melbourne Water, 2005)

Expiry

This local policy will expire when superseded (as determined by the Minister for Planning) by Water Sensitive Urban Design provisions in the Victoria Planning Provisions or the Building Code of Australia Regulations, whichever happens first.

19.03-4S

04/11/2022
VC226

Telecommunications

Objective

To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.

Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.

Encourage the continued deployment of telecommunications facilities that are easily accessible by:

- Increasing and improving access for all sectors of the community to the telecommunications network.
- Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Co-locate telecommunications facilities wherever practical.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

19.03-4R

26/10/2018
VC154

Telecommunications - Metropolitan Melbourne

Strategy

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

19.03-4L

18/06/2021
C180bays

Telecommunications

Strategies

Locate telecommunication cables and service lines below ground.

Co-locate, cable bundle and manage underground services to minimise the impact on Council infrastructure, the root system of street trees and residential amenity.

Locate mobile telephone towers on existing structures.

Locate and design mobile telephone towers to integrate with surroundings.

19.03-5S28/04/2026
VC232**Waste and resource recovery****Objective**

To reduce waste and maximise resource recovery to reduce reliance on landfills and minimise environmental, amenity and public health impacts.

Strategies

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste streams and maximise opportunities for resource recovery.

Ensure the long-term viability of waste and resource recovery infrastructure is secured through the use of defined buffer areas that protect against encroachment from incompatible land uses.

Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.

Enable waste and resource recovery facilities to be located in proximity to other related facilities and to materials' end-market destinations, to reduce the impacts of waste transportation and improve the economic viability of resource recovery.

Site, design, manage and rehabilitate waste disposal facilities to prevent or minimise contamination of groundwater and surface waters, litter, odour, dust and noise.

Integrate waste and resource recovery infrastructure planning with land use and transport planning.

Encourage technologies that increase recovery and treatment of resources to produce high value, marketable end products.

Encourage development that facilitates sustainable waste and resource recovery, including facilities for Victoria's container deposit scheme.

Policy documents

Consider as relevant:

- *Victorian Recycling Infrastructure Plan* (Department of Energy, Environment and Climate Action, October 2024)
 - *Management and Storage of Combustible Recyclable and Waste Materials - Guideline* (Publication 1667, Environment Protection Authority, October 2018)
 - *Best Practice Environmental Management Guideline (Siting, Design, Operation and Rehabilitation of Landfills)* (Environment Protection Authority, 2015)
 - *Designing, Constructing and Operating Composting Facilities* (Publication 1588, Environment Protection Authority, June 2015)
 - *Separation Distance Guideline* (Environment Protection Authority, August 2024)
 - *Landfill Buffer Guideline* (Environment Protection Authority, August 2024)
 - *Waste Management and Recycling in Multi-unit Developments. Better Practice Guide* (Sustainability Victoria, 2019)
 - *Recycling Victoria a New Economy* (Department of Environment, Land, Water and Planning, February 2020)
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ZONES

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

[NO CONTENT]

RESIDENTIAL ZONES

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

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

Purpose

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

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

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

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

32.04-214/01/2025
VC237**Table of uses****Section 1 – Permit not required**

Use	Condition
Art gallery	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Food and drink premises	The leasable floor area must not exceed 150 square metres.
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area must not exceed 250 square metres.
Museum	
Office (other than Medical centre)	The leasable floor area must not exceed 250 square metres.

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Use	Condition
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop)	The leasable floor area must not exceed 150 square metres.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)	
Container deposit scheme centre	
Domestic animal boarding	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Grazing animal production	
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation (other than Informal outdoor recreation)	
Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)	
Retail premises (other than Food and drink premises and Shop)	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.

Use	Condition
Warehouse	Must not be a purpose listed in the table to Clause 53.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

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

32.04-3

31/07/2018
VC148

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.04-4

16/10/2025
VC288

Subdivision

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
60 or more lots	All except clause 56.03-5.

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Class of subdivision	Objectives and standards to be met
16 – 59 lots	All except clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except clauses 56.02-1, 56.03-1 to 56.03-4, 56.03-5 (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: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into two lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02
Subdivide land into two lots if: ▪ 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. ▪ Each lot will contain either: – one existing dwelling; or – one dwelling permitted to be constructed in accordance with the permit.	Clause 59.02
Subdivide land into two lots for residential development if: ▪ 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. - 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 <i>Building Act 1993</i>.	

32.04-508/09/2025
VC282**Construction and extension of one dwelling on a lot****Permit requirement**

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

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct or extend a dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54:	Clause 54
- clause 54.02-1 Street setback. - clause 54.02-2 Building height. - clause 54.02-3 Side and rear setbacks. - clause 54.02-4 Walls on boundaries. - clause 54.02-5 Site coverage. - clause 54.02-6 Tree canopy. - clause 54.02-7 Front fences. - clause 54.04-1 Daylight to existing windows. - clause 54.04-2 Existing north-facing windows. - clause 54.04-3 Overshadowing secluded open space. - clause 54.04-4 Overlooking. - clause 54.05-2 Overshadowing domestic solar energy systems.	

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 32.04-5, 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.

32.04-6

08/09/2025
VC282

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	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
▪ clause 54.02-1 Street setback ▪ clause 54.02-2 Building height ▪ clause 54.02-3 Side and rear setbacks ▪ clause 54.02-4 Walls on boundaries ▪ clause 54.02-5 Site coverage ▪ clause 54.02-6 Tree canopy ▪ clause 54.02-8 Building setback for small second dwellings ▪ clause 54.03-5 Safety and accessibility for small second dwellings ▪ clause 54.04-1 Daylight to existing windows ▪ clause 54.04-2 Existing north-facing windows ▪ clause 54.04-3 Overshadowing secluded open space ▪ clause 54.04-4 Overlooking ▪ clause 54.05-2 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 requirement in the schedule to the zone applies and must be met.	

Transitional provisions

Clauses 32.04-6, 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.

32.04-7

16/04/2026
VC300

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

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with two 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 of three storeys or less, excluding a basement, must meet the requirements of clause 55.

A development of four to six storeys, excluding a basement, must meet the requirements of clause 57.

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

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 55 of this planning scheme, as in force immediately before the approval date of Amendment VC267, continues to apply to:

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- 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 32.04-7, 57 and 58 of this planning scheme, as in force immediately before the commencement of Amendment VC300, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	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: ▪ clause 55.02-1 Street setback ▪ clause 55.02-2 Building height ▪ clause 55.02-3 Side and rear setbacks ▪ clause 55.02-4 Walls on boundaries ▪ clause 55.02-5 Site coverage ▪ clause 55.02-6 Access ▪ clause 55.02-7 Tree canopy ▪ clause 55.02-8 Front fences ▪ clause 55.04-1 Daylight to existing windows ▪ clause 55.04-2 Existing north-facing windows ▪ clause 55.04-3 Overshadowing secluded open space ▪ clause 55.04-4 Overlooking ▪ clause 55.05-2 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 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

32.04-8

16/04/2026
VC300

Requirements of clause 54, clause 55 and clause 57

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.
- Standards E2-1, E2-4 and E2-7 of clause 57 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, clause 55 or clause 57 applies.

32.04-9

14/12/2023
VC253

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.04-10

20/04/2026
VC307

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a building or construct or carry out works where:	Clause 59.04
▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$150,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$700,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – clause 54.02-3 Side and rear setbacks. – clause 54.02-4 Walls on boundaries. – clause 54.04-1 Daylight to existing windows. – clause 54.04-2 Existing north-facing windows. – clause 54.04-3 Overshadowing secluded open space. – clause 54.04-4 Overlooking. – clause 54.05-2 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 requirement in the schedule to the zone applies and must be met.

Transitional provisions

Clauses 32.04-10, 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.

32.04-11

02/04/2025
VC276

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.02-3, 55.02-4, 55.04-1, 55.04-3, 55.04-4 and 55.05-2 along that boundary.

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

32.04-12

14/12/2023
VC253

Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.04-13

14/01/2025
VC237

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
 - The type and quantity of materials and goods to be stored, processed or produced.
-

- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
 - The layout of proposed buildings and works.
 - An elevation of the building design and height.
 - Setbacks to property boundaries.
 - All proposed access and pedestrian areas.
 - All proposed driveway, car parking and loading areas.
 - Existing vegetation and proposed landscape areas.
 - The location of easements and services.

32.04-14

16/04/2026
VC300

Exemption from notice and review

Subdivision

An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Construction and extension of one dwelling on a lot

An application under clause 32.04-5 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 32.04-6 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 32.04-7 for a development of three storeys or less, excluding a basement, 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.

An application under clause 32.04-7 for a development of four to six storeys, excluding a basement, 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 57.02 and 57.04 are met.

Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

32.04-15

16/04/2026
VC300

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Housing Choice and Transport Zone, Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of clause 56.

Construction and extension of one dwelling on a lot and a small second dwelling

- The applicable objectives, standards and decision guidelines of clause 54.

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

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

32.04-16

14/12/2023
VC253

Signs

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

04/02/2021
C168bays

SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

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

BAYSIDE MIXED USE AREAS

1.0

04/02/2021
C168bays

Objectives

None specified.

2.0

17/04/2026
VC308

Clause 54, Clause 55 and Clause 57 requirements

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
	E2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
	E2-4	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fences	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'. Front fence height in streets in a Transport Zone 2 as specified in the Tables to Standard A2-7 and Standard B2-8 continue to apply.
	E2-7	None specified

3.0

04/02/2021
C168bays

Maximum building height requirement

None specified.

4.0

04/02/2021
C168bays

Exemption from notice and review

None specified.

5.0

04/02/2021
C168bays

Application requirements

None specified.

6.0

04/02/2021
C168bays

Decision guidelines

None specified.

7.0

04/02/2021
C168bays

Signs

None specified.

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

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

Purpose

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

To provide housing at increased densities in buildings up to and including four storey buildings.

To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.

To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.

To ensure residential development achieves design objectives specified in a schedule to this zone.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

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

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

32.07-214/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.

BAYSIDE PLANNING SCHEME

Use	Condition
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 – Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	

BAYSIDE PLANNING SCHEME

Use	Condition
Office (other than Medical centre)	The land must be located within 100 metres of a commercial zone. The land must have the same street frontage as the land in the commercial zone. The leasable floor area must not exceed 250 square metres.
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Service station	The site must either: ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Shop (other than Adult sex product shop, Bottle shop and Convenience shop)	The land must be located within 100 metres of a commercial zone or Mixed Use Zone. The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Adult sex product shop

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

32.07-316/10/2025
VC288**Subdivision****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
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.

BAYSIDE PLANNING SCHEME

Class of subdivision	Objectives and standards to be met
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: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into two lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02
Subdivide land into two lots if: ▪ 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. ▪ Each lot will contain either: – one existing dwelling; or – one dwelling permitted to be constructed in accordance with the permit.	Clause 59.02
Subdivide land into two lots for residential development if: ▪ The subdivision creates at least one vacant lot. ▪ The land does not contain native vegetation if it has an area of 0.4 hectares or more. ▪ 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 <i>Building Act 1993</i>.	Clause 59.11

32.07-408/09/2025
VC282**Construction and extension of one dwelling on a lot****Permit requirement**

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

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct or extend a dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54: ▪ clause 54.02-1 Street setback. ▪ clause 54.02-2 Building height. ▪ clause 54.02-3 Side and rear setbacks. ▪ clause 54.02-4 Walls on boundaries. ▪ clause 54.02-5 Site coverage ▪ clause 54.02-6 Tree canopy. ▪ clause 54.02-7 Front fences. ▪ clause 54.04-1 Daylight to existing windows. ▪ clause 54.04-2 Existing north-facing windows. ▪ clause 54.04-3 Overshadowing secluded open space. ▪ clause 54.04-4 Overlooking. ▪ clause 54.05-2 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 requirement in the schedule to the zone applies and must be met.	Clause 54

Transitional provisions

Clauses 32.07-4, 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.

32.07-508/09/2025
VC282**Construction and extension of a small second dwelling on a lot****Permit requirement**

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

A development must meet the requirements of Clause 54.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	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
- clause 54.02-1 Street setback. - clause 54.02-2 Building height. - clause 54.02-3 Side and rear setbacks. - clause 54.02-4 Walls on boundaries. - clause 54.02-5 Site coverage. - clause 54.02-6 Tree canopy. - clause 54.02-8 Building setback for small second dwellings. - clause 54.03-5 Safety and accessibility for small second dwellings. - clause 54.04-1 Daylight to existing windows. - clause 54.04-2 Existing north-facing windows. - clause 54.04-3 Overshadowing secluded open space. - clause 54.04-4 Overlooking. - clause 54.05-2 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 requirement in the schedule to the zone applies and must be met.	

Transitional provisions

Clauses 32.07-5, 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.

32.07-616/04/2026
VC300**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings****Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.

BAYSIDE PLANNING SCHEME

- 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 two 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 of three storeys or less, excluding a basement, must meet the requirements of clause 55.

A development of four to six storeys, excluding a basement, must meet the requirements of clause 57.

An apartment development of seven storeys or more, 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: ▪ clause 55.02-1 Street setback ▪ clause 55.02-2 Building height ▪ clause 55.02-3 Side and rear setbacks ▪ clause 55.02-4 Walls on boundaries ▪ clause 55.02-5 Site coverage ▪ clause 55.02-6 Access ▪ clause 55.02-7 Tree canopy ▪ clause 55.02-8 Front fences ▪ clause 55.04-1 Daylight to existing windows ▪ clause 55.04-2 Existing north-facing windows ▪ clause 55.04-3 Overshadowing secluded open space ▪ clause 55.04-4 Overlooking ▪ clause 55.05-2 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 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.

Clauses 32.07-6, 57 and 58 of this planning scheme, as in force immediately before the commencement of Amendment VC300, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.07-7

16/04/2026
VC300

Requirements of clause 54, clause 55 and clause 57

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.
- Standards E2-1, E2-4 and E2-7 of clause 57 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, clause 55 or clause 57 applies.

32.07-8

14/12/2023
VC253

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.07-9

20/04/2026
VC307

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a building or construct or carry out works where: ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$150,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$700,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – clause 54.02-3 Side and rear setbacks. – clause 54.02-4 Walls on boundaries. – clause 54.04-1 Daylight to existing windows. – clause 54.04-2 Existing north-facing windows. – clause 54.04-3 Overshadowing secluded open space. – clause 54.04-4 Overlooking. – clause 54.05-2 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 requirement in the schedule to the zone applies and must be met.	Clause 59.04

Transitional provisions

Clauses 32.07-9, 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.

32.07-10

16/04/2026
VC300

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

A building must not be constructed for use as a dwelling, small second dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

This building height requirement replaces the maximum building height specified in clauses 54.02-2 and 55.02-2.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.

BAYSIDE PLANNING SCHEME

- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.07-11

08/09/2025
VC282

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.02-3, 55.02-4, 55.04-1, 55.04-3, 55.04-4 and 55.05-2 along that boundary.

32.07-12

16/04/2026
VC300

Application requirements

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

- For a development of one dwelling on a lot or a small second dwelling on a lot, the 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 to six storeys, excluding a basement, the site description and design response as required in clause 57.
 - For an apartment development of seven storeys or more, excluding a basement, an urban context report and design response as required in clause 58.
 - 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 goods and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.07-13

16/04/2026
VC300

Exemption from notice and review

Subdivision

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Construction and extension of one dwelling on a lot

An application under clause 32.07-4 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 32.07-5 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, 54.02-8, 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 32.07-6 for a development of three storeys or less, excluding a basement, 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.

An application under clause 32.07-6 for a development of four to six storeys, excluding a basement, 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 57.02 and 57.04 are met.

32.07-14

16/04/2026
VC300

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Housing Choice and Transport Zone, Mixed Use Zone or Residential Growth Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
 - For subdivision of land for residential development, the objectives and standards of clause 56.
-

Dwellings, small second dwellings and residential buildings

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four to six storeys, excluding a basement, the objectives, standards and decision guidelines of clause 57.
- For the construction and extension of an apartment development of seven storeys or more, excluding a basement, the objectives, standards and decisions guidelines of clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.07-15

14/12/2023
VC253

Signs

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

04/02/2021
C168bays

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

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

**FUTURE MODERATE RESIDENTIAL GROWTH AREA IN HAMPTON EAST (MORRABBIN)
MAJOR ACTIVITY CENTRE AND MODERATE RESIDENTIAL GROWTH AREA IN HAMPTON
STREET MAJOR ACTIVITY CENTRE (WILLIS STREET PRECINCT)**

1.0

04/02/2021
C168bays

Design objectives

None specified.

2.0

17/04/2026
VC308

Requirements of Clause 54, Clause 55 and Clause 57

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
	E2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
	E2-4	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fences	A2-7 and B2-8	None specified
	E2-7	None specified

3.0

26/04/2024
VC252

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

None specified.

4.0

04/02/2021
C168bays

Application requirements

None specified.

5.0

04/02/2021
C168bays

Decision guidelines

None specified.

29/03/2018
C157

SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

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

PUBLIC HOUSING RENEWAL – NEW STREET, BRIGHTON

1.0

29/03/2018
C157

Design objectives

- To facilitate the renewal of New Street site.
- To minimise the loss of landscape and open space areas on the site through increased building heights.
- To integrate with the surrounding area.

2.0

17/04/2026
VC308

Requirements of Clause 54, Clause 55 and Clause 57

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
	E2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
	E2-4	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fences	A2-7 and B2-8	None specified
	E2-7	None specified

3.0

26/04/2024
VC252

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

None specified.

4.0

29/03/2018
C157

Application requirements

None specified.

5.0

29/03/2018
C157

Decision guidelines

The following decision guidelines apply to an application for a permit under clause 32.07, in addition to those specified in clause 32.07 and elsewhere in the scheme:

- Whether the proposal meets the objectives of this Schedule.
- Whether the built form and land use response is consistent with the requirements of Schedule 2 to the Development Plan Overlay within the Bayside Planning Scheme.

30/06/2020
C162bays

SCHEDULE 3 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ3**.

FORMER CSIRO SITE, HIGHTETT

1.0

30/06/2020
C162bays

Design objectives

To facilitate the renewal of the former CSIRO site in an integrated manner.

2.0

17/04/2026
VC308

Requirements of Clause 54, Clause 55 and Clause 57

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
	E2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
	E2-4	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fences	A2-7 and B2-8	None specified
	E2-7	None specified

3.0

26/04/2024
VC252

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

None Specified

4.0

30/06/2020
C162bays

Application requirements

None Specified

5.0

30/06/2020
C162bays

Decision guidelines

None specified.

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

Shown on the planning scheme map as **GRZ**, **R1Z**, **R2Z** or **R3Z** with a number (if shown).

Purpose

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

To encourage development that is responsive to the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

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

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

32.08-214/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.

BAYSIDE PLANNING SCHEME

Use	Condition
	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	

BAYSIDE PLANNING SCHEME

Use	Condition
Office (other than Medical centre)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Service station	The site must either: - Adjoin a commercial zone or industrial zone. - Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: 3000 square metres. 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Cinema based entertainment facility
Domestic animal boarding
Extractive industry

Use

Horse husbandry

Industry (other than Automated collection point and Car wash)

Motor racing track

Nightclub

Saleyard

Small second dwelling – if the Section 1 condition is not met

Transport terminal

Warehouse (other than Store)

32.08-316/10/2025
VC288**Subdivision****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: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into two lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02
Subdivide land into two lots if: ▪ 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. ▪ Each lot will contain either: – one existing dwelling; or – one dwelling permitted to be constructed in accordance with the permit.	Clause 59.02
Subdivide land into two lots for residential development if: ▪ The subdivision creates at least one vacant lot. ▪ The land does not contain native vegetation if it has an area of 0.4 hectares or more. ▪ 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 <i>Building Act 1993</i>.	Clause 59.11

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

Minimum garden area requirement

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

BAYSIDE PLANNING SCHEME

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

08/09/2025
VC282

Construction and extension of one dwelling on a lot

Permit requirement

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

A permit is required to construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling on a lot less than 300 square metres and the fence exceeds the maximum height specified in clause 54.02-7.

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: ▪ clause 54.02-1 Street setback. ▪ clause 54.02-2 Building height.	Clause 54

BAYSIDE PLANNING SCHEME

Class of application	Provision
▪ clause 54.02-3 Side and rear setbacks. ▪ clause 54.02-4 Walls on boundaries. ▪ clause 54.02-5 Site coverage ▪ clause 54.02-6 Tree canopy. ▪ clause 54.02-7 Front fences. ▪ clause 54.04-1 Daylight to existing windows. ▪ clause 54.04-2 Existing north-facing windows. ▪ clause 54.04-3 Overshadowing secluded open space. ▪ clause 54.04-4 Overlooking. ▪ clause 54.05-2 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 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

08/09/2025
VC282

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	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 54.02-1 Street setback. ▪ clause 54.02-2 Building height. ▪ clause 54.02-3 Side and rear setbacks. ▪ clause 54.02-4 Walls on boundaries.	Clause 54

Class of application	Provision
- clause 54.02-5 Site coverage. - clause 54.02-6 Tree canopy. - clause 54.02-8 Building setback for small second dwellings. - clause 54.03-5 Safety and accessibility for small second dwellings. - clause 54.04-1 Daylight to existing windows. - clause 54.04-2 Existing north-facing windows. - clause 54.04-3 Overshadowing secluded open space. - clause 54.04-4 Overlooking. - clause 54.05-2 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 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

16/04/2026
VC300

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

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with two 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 of three storeys or less, excluding a basement, must meet the requirements of clause 55.

An apartment development of seven storeys or more, 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.

BAYSIDE PLANNING SCHEME

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: ▪ clause 55.02-1 Street setback ▪ clause 55.02-2 Building height ▪ clause 55.02-3 Side and rear setbacks ▪ clause 55.02-4 Walls on boundaries ▪ clause 55.02-5 Site coverage ▪ clause 55.02-6 Access ▪ clause 55.02-7 Tree canopy ▪ clause 55.02-8 Front fences ▪ clause 55.04-1 Daylight to existing windows ▪ clause 55.04-2 Existing north-facing windows ▪ clause 55.04-3 Overshadowing secluded open space ▪ clause 55.04-4 Overlooking ▪ clause 55.05-2 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 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.

Clauses 32.08-7, 57 and 58 of this planning scheme, as in force immediately before the commencement of Amendment VC300, 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.

32.08-8

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

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

14/12/2023
VC253

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.08-10

20/04/2026
VC307

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a building or construct or carry out works where: ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$150,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$700,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – clause 54.02-3 Side and rear setbacks. – clause 54.02-4 Walls on boundaries. – clause 54.04-1 Daylight to existing windows. – clause 54.04-2 Existing north-facing windows.	Clause 59.04

Class of application	Provision
– clause 54.04-3 Overshadowing secluded open space. – clause 54.04-4 Overlooking. – clause 54.05-2 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 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

14/12/2023
VC253

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

A building must not be constructed for use as a dwelling, small second dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.08-12

16/04/2026
VC300

Application requirements

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

- For a development of one dwelling on a lot or a small second dwelling on a lot, the 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 to six storeys, excluding a basement, the site description and design response as required in clause 57.
- For an apartment development of seven storeys or more, excluding a basement, an urban context report and design response as required in clause 58.
- 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 goods 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

17/04/2026
VC308

Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Construction and extension of 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 for a development of three storeys or less, excluding a basement, 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.

32.08-14

16/04/2026
VC300

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of clause 56.

Dwellings, small second dwellings and residential buildings

- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four to six storeys, excluding a basement, the objectives, standards and decision guidelines of clause 57.
- For the construction and extension of an apartment development of seven storeys or more, 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

14/12/2023
VC253

Signs

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

32.08-16

14/12/2023
VC253

Transitional provisions

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
 - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
 - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
 - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

04/02/2021
C168bays

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

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

FUTURE MODERATE RESIDENTIAL GROWTH AREAS: SOUTHLAND, ELSTERNWICK, HAMPTON EAST (MOORABBIN) AND CHELTENHAM ACTIVITY CENTRES

1.0

04/02/2021
C168bays

Neighbourhood character objectives

None specified.

2.0

26/04/2024
VC252

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

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

No

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	2-1	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	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'. Front fence height in streets in a Transport Zone 2 as specified in the Tables to Standard A2-7 and Standard B2-8 continue to apply.

4.0

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

04/02/2021
C168bays**SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ2**.**MODERATE RESIDENTIAL GROWTH AREAS: BAY STREET, CHURCH STREET, HAMPTON STREET AND SANDRINGHAM MAJOR ACTIVITY CENTRES****1.0**04/02/2021
C168bays**Neighbourhood character objectives**

None specified.

2.026/04/2024
VC252**Construction or extension of a dwelling, small second dwelling or residential building - minimum garden area requirement****Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?**

No

3.008/09/2025
VC282**Requirements of Clause 54 and Clause 55**

	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

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

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 11 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 must not exceed 12 metres.

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

None specified.

6.026/04/2024
VC252**Decision guidelines**

None specified.

7.0**Transitional Provisions**

Schedule 2 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the Bayside Planning Scheme Amendment C106, which introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

BAYSIDE PLANNING SCHEME

Despite the provisions of Schedule 2 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.

04/02/2021
C168bays**SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ3**.**MODERATE RESIDENTIAL GROWTH AREAS: HAMPTON STREET MAJOR ACTIVITY CENTRE
AND SANDRINGHAM MAJOR ACTIVITY CENTRE (COASTAL LOCATION)****1.0**04/02/2021
C168bays**Neighbourhood character objectives**

None specified.

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

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

No

3.008/09/2025
VC282**Requirements of Clause 54 and Clause 55**

	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

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

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 11 metres.

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

None specified.

6.026/04/2024
VC252**Decision guidelines**

None specified.

7.0**Transitional Provisions**

Schedule 3 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the Bayside Planning Scheme Amendment C106, which introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 3 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.

04/02/2021
C168bays

SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ4**.

MODERATE RESIDENTIAL GROWTH AREAS: BAY STREET MAJOR ACTIVITY CENTRE (WARLEIGH GROVE PRECINCT)

1.0

04/02/2021
C168bays

Neighbourhood character objectives

None specified.

2.0

26/04/2024
VC252

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

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

No

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

04/02/2021
C168bays

SCHEDULE 6 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ6**.

MODERATE RESIDENTIAL GROWTH AREA: BLACK ROCK NEIGHBOURHOOD ACTIVITY CENTRE

1.0

04/02/2021
C168bays

Neighbourhood character objectives

None specified.

2.0

26/04/2024
VC252

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

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

No

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'. Front fence height in streets in a Transport Zone 2 as specified in the Tables to Standard A2-7 and Standard B2-8 continue to apply.

4.0

26/04/2024
VC252

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

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 11 metres.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

7.0

Transitional Provisions

Schedule 6 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the Bayside Planning Scheme Amendment C106, which introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 6 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.

04/02/2021
C168bays**SCHEDULE 7 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE**Shown on the planning scheme map as **GRZ7**.**STRATEGIC REDEVELOPMENT SITES****1.0**04/02/2021
C168bays**Neighbourhood character objectives**

None specified.

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

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

No

3.008/09/2025
VC282**Requirements of Clause 54 and Clause 55**

	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

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

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 11 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 must not exceed 12 metres.

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

None specified.

6.026/04/2024
VC252**Decision guidelines**

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

- Whether adequate sized open space and setbacks are provided for the retention and growth of existing and new canopy trees.
- Whether the design, height, setbacks and appearance of the residential building appropriately responds to its adjoining properties and surrounding urban context.

7.0

Transitional Provisions

Schedule 7 to Clause 32.08 to the General Residential Zone does not apply to an application to construct a dwelling or residential building made before the approval date of the Bayside Planning Scheme Amendment C106, which introduced this schedule into the planning scheme. The requirements of Clause 54 as they apply to Clause 54.03-2 or of Clause 55 as they apply to Clause 55.03-2 as in force immediately before the said approved date continue to apply.

Despite the provisions of Schedule 7 to Clause 32.08, these do not apply to an application under section 69 of the Act to extend a permit to construct or extend a development.

04/02/2021
C168bays

SCHEDULE 8 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ8**.

MINIMAL RESIDENTIAL GROWTH AREA: PRIVATE GOLF COURSES

1.0

04/02/2021
C168bays

Neighbourhood character objectives

None specified.

2.0

26/04/2024
VC252

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

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

No

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'. Front fence height in streets in a Transport Zone 2 as specified in the Tables to Standard A2-7 and Standard B2-8 continue to apply.

4.0

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

12/09/2019
C152bays

SCHEDULE 9 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ9**.

MODERATE RESIDENTIAL GROWTH AREA – MARTIN STREET NEIGHBOURHOOD ACTIVITY CENTRE

1.0

12/09/2019
C152bays

Neighbourhood character objectives

None specified.

2.0

26/04/2024
VC252

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

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

No.

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A2-1	Walls of buildings are set back at least 3 metres from the frontage. Side street setback requirements specified in the Table to Standard A2-1 continue to apply.
	B2-1	Walls of buildings are set back at least 3 metres from the frontage. Side street setback requirements specified in the Table to Standard B2-1 continue to apply.
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

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

21/09/2022
C160bays

SCHEDULE 12 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ12**.

HIGHETT STATION ENVIRONS

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To encourage apartment style residential redevelopment of up to three storeys in height in residential areas close to the Highett train station, that have recessed third levels.

To ensure new development allows for the retention of mature vegetation and provides canopy trees in front setbacks.

To ensure that new buildings provide an articulated and well designed façade to provide interest at street level and reinforce the human scale.

To ensure buildings provide fine grain frontages to integrate with and contribute positively to the street life and public realm.

To limit the impact of new development on the amenity of existing low density residential development.

2.0

26/04/2024
VC252

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

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

Yes

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'.

4.0

26/04/2024
VC252

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

None specified

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

21/09/2022
C160bays

SCHEDULE 13 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ13**.

HIGHETT STRUCTURE PLAN - PRECINCT 2A

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To encourage apartment style residential redevelopment of up to four storeys in height in residential areas close to the Highett train station.

To ensure new development allows for the retention of mature vegetation and provides canopy trees in front setbacks.

To ensure that new buildings provide an articulated and well designed façade to provide interest at street level and reinforce the human scale.

To ensure buildings provide fine grain frontages to integrate with and contribute positively to the street life and public realm.

To limit the impact of new development on the amenity of existing low density residential development.

2.0

26/04/2024
VC252

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

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

Yes

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A2-1	Walls of buildings are set back at least 3 metres from the frontage. Side street setback requirements specified in the table to Standard A2-1 continue to apply.
	B2-1	Walls of buildings are set back at least 3 metres from the frontage. Side street setback requirements specified in the table to Standard B2-1 continue to apply.
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	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'.

4.0

26/04/2024
VC252

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

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 14 metres and 4 storeys.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

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

- The extent to which existing canopy trees and vegetation have been retained and new canopy trees provided.
 - The extent to which the deep soil planting has been addressed.
-

21/09/2022
C160bays

SCHEDULE 14 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ14**.

RESIDENTIAL HINTERLAND

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To encourage a mix of townhouses and detached dwellings amongst a garden setting.

To ensure new development retains existing vegetation and provides canopy trees within the front and rear setbacks.

To maintain the visual separation between buildings.

To minimise the visual impacts of the third storey on preferred neighbourhood character.

2.0

26/04/2024
VC252

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

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

No

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres.

4.0

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

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

- The extent to which existing canopy trees and vegetation have been retained and new canopy trees provided.
- Whether the proposed siting, height, design, building setbacks and landscaping will be in keeping with the preferred character of the area.

21/09/2022
C160bays

SCHEDULE 15 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ15**.

BAY ROAD

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To encourage apartment style residential development, with a street wall of up to three stories.

To retain a front setback and adequate side and rear setbacks to enable developments to be set within a green, leafy, garden setting.

To ensure that new buildings provide an articulated and well designed façade with fine-grain frontages, fenestration, parapet treatments and other detailing and materials to provide interest at street level and reinforce the human scale.

To ensure buildings provide passive surveillance of Bay Road, with any front fences providing appropriate transparency.

To ensure buildings integrate with and contribute positively to the street life and public realm, by ensuring car parking and garages are not dominant in the streetscape.

2.0

26/04/2024
VC252

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

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

Yes

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence addressing Graham Road and Jackson Road within 3 metres of a street should not exceed 1.2 metres. Front fence height in streets in a Transport Zone 2 as specified in the Tables to Standard A2-7 and Standard B2-8 continue to apply.

4.0

26/04/2024
VC252

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

None specified

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

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

- The extent to which existing canopy trees and vegetation have been retained.
 - Whether the development provides additional deep soil and canopy tree planting over and above the minimum requirement.
-

21/09/2022
C160bays

SCHEDULE 16 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ16**.

36 - 40 GRAHAM STREET, HIGHTT

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To encourage apartment style residential development of up to four storeys, with recessed upper floors.

To ensure new development retains existing vegetation and provides canopy trees within the front, side and rear setbacks.

To maintain the visual separation between buildings.

To limit the impact of new development on the amenity of existing low density residential development.

To create a safe, landscaped, attractive and publicly accessible link through the site from the Lyle Anderson Reserve to Graham Road.

2.0

26/04/2024
VC252

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

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

No

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres.

4.0

26/04/2024
VC252

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

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 14 metres and 4 storeys.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

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

- The extent to which existing canopy trees and vegetation have been retained and new canopy trees provided.
 - Whether the proposed siting, height, design, building setbacks and landscaping will be in keeping with the preferred character of the area.
 - Whether a direct, legible, publicly accessible open space link between Graham Road and Lyle Anderson Reserve can be provided
-

21/09/2022
C160bays

SCHEDULE 17 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ17**.

TRAIN STREET

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To encourage increased residential redevelopment of three storeys in residential areas close to the Highett train station, with recessed upper storeys.

To ensure new developments are set within a green, leafy garden setting and retain canopy trees and planting in front and rear setbacks.

To ensure that new buildings provide an articulated and well designed façade, fenestration, parapet treatments and other detailing and materials to provide interest at street level and reinforce the human scale.

To ensure buildings integrate with and contribute positively to the street and public realm, by providing a continuous network of fine-grain frontages, including in residential buildings.

To respect existing residential development by providing adequate side and rear setbacks to allow screen planting and a landscaping.

2.0

26/04/2024
VC252

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

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

Yes

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	Standard	Requirement
Minimum street setback	A2-1	Walls of buildings in Train Street are set back at least 3 metres from the frontage. If the site is on a corner, the minimum setback from a side street requirements of A2-1 apply.
	B2-1	Walls of buildings in Train Street are set back at least 3 metres from the frontage. Side street setback requirements specified in the table to Standard B2-1 continue to apply.
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	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'. Front fence height in streets in a Transport Zone 2 as specified in the Tables to Standard A2-7 and Standard B2-8 continue to apply.

4.0

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

21/09/2022
C160bays

SCHEDULE 18 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ18**

HIGHETT GRASSY WOODLAND

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To encourage a mix of townhouses and detached dwellings among a garden setting.

To ensure new development retains existing vegetation and provides canopy trees within the front and rear setbacks.

To maintain the visual separation between buildings.

To minimise the visual impacts of the third storey on preferred neighbourhood character.

To encourage buildings designed to minimise overshadowing of the Highett Grassy Woodland.

2.0

26/04/2024
VC252

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

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

No

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres.

4.0

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

32.0931/03/2025
VC267**NEIGHBOURHOOD RESIDENTIAL ZONE**

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

Purpose

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

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development is responsive to the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.09-127/03/2017
VC110**Neighbourhood character objectives**

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

32.09-214/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than 2 animals.
Dwelling (other than Bed and breakfast)	
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres. Must be located in an existing building. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must not require a permit under Clause 52.06-3.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.

BAYSIDE PLANNING SCHEME

Use	Condition
	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must not require a permit under Clause 52.06-3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
Tramway	
Any use listed in clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	The leasable floor area must not exceed 80 square metres.
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	

BAYSIDE PLANNING SCHEME

Use	Condition
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Office (other than Medical centre)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Service station	The site must either: - Adjoin a commercial zone or industrial zone. - Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: 3000 square metres. 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training

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

32.09-316/10/2025
VC288**Subdivision****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.

BAYSIDE PLANNING SCHEME

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: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into two lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02
Subdivide land into two lots if: ▪ 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. ▪ Each lot will contain either: – one existing dwelling; or – one dwelling permitted to be constructed in accordance with the permit.	Clause 59.02
Subdivide land into two lots for residential development if: ▪ 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. - 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 <i>Building Act 1993</i>.	

32.09-414/12/2023
VC253**Construction or extension of a dwelling, small second dwelling or residential building****Minimum garden area requirement**

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling, small second dwelling or residential building on a lot if:
 - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
 - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

32.09-508/09/2025
VC282**Construction and extension of one dwelling on a lot****Permit requirement**

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

A permit is required to construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling on a lot less than 300 square metres and the fence exceeds the maximum height specified in clause 54.02-7.

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: - clause 54.02-1 Street setback. - clause 54.02-2 Building height. - clause 54.02-3 Side and rear setbacks. - clause 54.02-4 Walls on boundaries. - clause 54.02-5 Site coverage - clause 54.02-6 Tree canopy. - clause 54.02-7 Front fences. - clause 54.04-1 Daylight to existing windows. - clause 54.04-2 Existing north-facing windows. - clause 54.04-3 Overshadowing secluded open space. - clause 54.04-4 Overlooking. - clause 54.05-2 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 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

08/09/2025
VC282

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	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
- clause 54.02-1 Street setback. - clause 54.02-2 Building height. - clause 54.02-3 Side and rear setbacks. - clause 54.02-4 Walls on boundaries. - clause 54.02-5 Site coverage. - clause 54.02-6 Tree canopy. - clause 54.02-8 Building setback for small second dwellings. - clause 54.03-5 Safety and accessibility for small second dwellings. - clause 54.04-1 Daylight to existing windows. - clause 54.04-2 Existing north-facing windows. - clause 54.04-3 Overshadowing secluded open space. - clause 54.04-4 Overlooking. - clause 54.05-2 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 requirement in the schedule to the zone applies and must be met.	

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

16/04/2026
VC300

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

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with two 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 of three storeys or less, excluding a basement, must meet the requirements of clause 55.

BAYSIDE PLANNING SCHEME

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: ▪ clause 55.02-1 Street setback ▪ clause 55.02-2 Building height ▪ clause 55.02-3 Side and rear setbacks ▪ clause 55.02-4 Walls on boundaries ▪ clause 55.02-5 Site coverage ▪ clause 55.02-6 Access ▪ clause 55.02-7 Tree canopy ▪ clause 55.02-8 Front fences ▪ clause 55.04-1 Daylight to existing windows ▪ clause 55.04-2 Existing north-facing windows ▪ clause 55.04-3 Overshadowing secluded open space ▪ clause 55.04-4 Overlooking ▪ clause 55.05-2 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 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.

Clauses 32.09-7, 57 and 58 of this planning scheme, as in force immediately before the commencement of Amendment VC300, 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.

32.09-8

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

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

15/03/2024
VC256

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.09-10

20/04/2026
VC307

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of clause 32.09-2.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a building or construct or carry out works where:	Clause 59.04
▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$150,000; or ▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$700,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – clause 54.02-3 Side and rear setbacks. – clause 54.02-4 Walls on boundaries. – clause 54.04-1 Daylight to existing windows. – clause 54.04-2 Existing north-facing windows.	

Class of application	Provision
– clause 54.04-3 Overshadowing secluded open space. – clause 54.04-4 Overlooking. – clause 54.05-2 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 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

14/12/2023
VC253

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

A building must not be constructed for use as a dwelling, small second dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.09-12

16/04/2026
VC300

Application requirements

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

- For a development of one dwelling on a lot or a small second dwelling on a lot, the 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 to six storeys, excluding a basement, the site description and design response as required in clause 57.
- For an apartment development of seven storeys or more, excluding a basement, an urban context report and design response as required in clause 58.
- 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 goods 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

16/04/2026
VC300

Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Construction and extension of 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 for a development of three storeys or less, excluding a basement, 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

16/04/2026
VC300

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of clause 56.

Dwellings, small second dwellings and residential buildings

- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four to six storeys, excluding a basement, the objectives, standards and decision guidelines of clause 57.
- For the construction and extension of an apartment development of seven storeys or more, excluding a basement, the objectives, standards and decisions guidelines of clause 58.

Non-residential use and development

In the local neighbourhood context:

- Whether the use or development is compatible with residential use.
 - Whether the use generally serves local community needs.
 - The scale and intensity of the use and development.
 - The design, height, setback and appearance of the proposed buildings and works.
-

- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.09-15

14/12/2023
VC253

Signs

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

32.09-16

14/12/2023
VC253

Transitional provisions

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
 - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
 - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
 - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

21/09/2022
C160bays

SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

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

HIGHETT - CSIRO INTERFACE

1.0

21/09/2022
C160bays

Neighbourhood character objectives

To maintain the area's green, leafy and treed character with buildings sitting within a garden setting.

To maintain the visual separation between buildings.

To encourage canopy tree retention and planting in front and rear setbacks.

2.0

21/09/2022
C160bays

Minimum subdivision area

None specified.

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres.

4.0

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

04/02/2021
C168bays

SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ3**.

MINIMAL RESIDENTIAL GROWTH AREA

1.0

04/02/2021
C168bays

Neighbourhood character objectives

None specified.

2.0

04/02/2021
C168bays

Minimum subdivision area

None specified.

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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	A front fence within 3 metres of a street should not exceed 1.2 metres in 'other streets'. Front fence height in streets in a Transport Zone 2 as specified in the Tables to Standard A2-7 and Standard B2-8 continue to apply.

4.0

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

12/09/2019
C152bays

SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ4**.

MARTIN STREET NEIGHBOURHOOD ACTIVITY CENTRE

1.0

12/09/2019
C152bays

Neighbourhood character objectives

Ensure new residential development responds sympathetically to the neighbourhood character and provides appropriate transitions to the residential heritage precincts.

2.0

12/09/2019
C152bays

Minimum subdivision area

None specified.

3.0

08/09/2025
VC282

Requirements of Clause 54 and Clause 55

	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

26/04/2024
VC252

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

None specified.

5.0

26/04/2024
VC252

Application requirements

None specified.

6.0

26/04/2024
VC252

Decision guidelines

None specified.

32.1025/02/2025
VC257**HOUSING CHOICE AND TRANSPORT ZONE**

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

Purpose

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

To provide housing at increased densities around activity centres and well-serviced locations, close to employment, services and public transport.

To encourage a scale of development that provides a transition between more intense development to lower-scale residential areas.

To encourage a diversity of housing types and affordable housing.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.10-116/10/2025
VC288**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Bed and breakfast	No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence
Community care accommodation	Must meet the requirements of Clause 52.22-2.
Domestic animal husbandry (other than Domestic animal boarding)	Must be no more than two animals.
Dwelling (other than Bed and breakfast)	
Home based business	
Informal outdoor recreation	
Medical centre	The gross floor area of all buildings must not exceed 250 square metres.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
Tramway	

BAYSIDE PLANNING SCHEME

Use	Condition
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Office (other than Medical centre)	The land must be located within 100 metres of a commercial zone or land in the Activity Centre Zone that is used for commercial purposes. The land must have the same street frontage as the land in the commercial zone or the land in the Activity Centre Zone that is used for commercial purposes. The leasable floor area must not exceed 250 square metres.
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Service station	The site must either: ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.

BAYSIDE PLANNING SCHEME

Use	Condition
	The site must not exceed either: ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Shop (other than Adult sex product shop, Bottle shop and Convenience shop)	The land must be located within 100 metres of a commercial zone, Mixed Use Zone or land in the Activity Centre Zone that is used for commercial purposes. The land must have the same street frontage as the land in the commercial zone, Mixed Use Zone or land in the Activity Centre Zone that is used for commercial purposes.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

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

32.10-216/10/2025
VC288**Subdivision****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
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: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into two lots if: ▪ The construction of a building or the construction or carrying out of works on the land:	Clause 59.02

BAYSIDE PLANNING SCHEME

Class of application	Provision
- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. ▪ The subdivision does not create a vacant lot.	
Subdivide land into two lots if: ▪ 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. ▪ Each lot will contain either: - one existing dwelling; or - one dwelling permitted to be constructed in accordance with the permit.	Clause 59.02
Subdivide land into two lots for residential development if: ▪ The subdivision creates at least one vacant lot. ▪ The land does not contain native vegetation if it has an area of 0.4 hectares or more. ▪ 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 <i>Building Act 1993</i>.	Clause 59.11

32.10-3

08/09/2025
VC282

Construction and extension of one dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

No permit requirement

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

Vicsmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct or extend a dwelling on a lot less than 300 square metres if the development meets the following standards of Clause 54: ▪ clause 54.02-1 Street setback. ▪ clause 54.02-2 Building height.	Clause 54

BAYSIDE PLANNING SCHEME

Class of application	Provision
▪ clause 54.02-3 Side and rear setbacks. ▪ clause 54.02-4 Walls on boundaries. ▪ clause 54.02-5 Site coverage ▪ clause 54.02-6 Tree canopy. ▪ clause 54.02-7 Front fences. ▪ clause 54.04-1 Daylight to existing windows. ▪ clause 54.04-2 Existing north-facing windows. ▪ clause 54.04-3 Overshadowing secluded open space. ▪ clause 54.04-4 Overlooking. ▪ clause 54.05-2 Overshadowing domestic solar energy systems.	

Transitional provisions

Clauses 32.10-3, 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.

32.10-4

08/09/2025
VC282

Construction and extension of a small second dwelling on a lot

Permit requirement

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

A development must meet the requirements of Clause 54.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	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 54.02-1 Street setback. ▪ clause 54.02-2 Building height. ▪ clause 54.02-3 Side and rear setbacks. ▪ clause 54.02-4 Walls on boundaries. ▪ clause 54.02-5 Site coverage. ▪ clause 54.02-6 Tree canopy. ▪ clause 54.02-8 Building setback for small second dwellings. ▪ clause 54.03-5 Safety and accessibility for small second dwellings. ▪ clause 54.04-1 Daylight to existing windows. ▪ clause 54.04-2 Existing north-facing windows.	Clause 54

Class of application	Provision
- clause 54.04-3 Overshadowing secluded open space. - clause 54.04-4 Overlooking. - clause 54.05-2 Overshadowing domestic solar energy systems.	

Transitional provisions

Clauses 32.10-4, 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.

32.10-5

16/04/2026
VC300

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

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with two 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 of three storeys or less, excluding a basement, must meet the requirements of clause 55.

A development of four to six storeys, excluding a basement, must meet the requirements of clause 57.

An apartment development of seven storeys or more, 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: - clause 55.02-1 Street setback - clause 55.02-2 Building height - clause 55.02-3 Side and rear setbacks	Clause 55

BAYSIDE PLANNING SCHEME

Class of application	Provision
▪ clause 55.02-4 Walls on boundaries ▪ clause 55.02-5 Site coverage ▪ clause 55.02-6 Access ▪ clause 55.02-7 Tree canopy ▪ clause 55.02-8 Front fences ▪ clause 55.04-1 Daylight to existing windows ▪ clause 55.04-2 Existing north-facing windows ▪ clause 55.04-3 Overshadowing secluded open space ▪ clause 55.04-4 Overlooking ▪ clause 55.05-2 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 55 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 two or more dwellings on a lot or a residential building.	Clause 59.03

Transitional provisions

Clauses 32.10-5, 57 and 58 of this planning scheme, as in force immediately before the commencement of Amendment VC300, 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.

32.10-6

25/02/2025
VC257

Residential aged care facility

Permit requirement

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.10-7

20/04/2026
VC307

Buildings and work associated with a Section 2 use

Permit requirement

A permit is required to construct a building or construct or carry out works for a use in Section 2 of clause 32.10-2.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a building or construct or carry out works where: ▪ The building or works are not associated with a dwelling, primary school or secondary school and have an estimated cost of up to \$150,000; or	Clause 59.04

BAYSIDE PLANNING SCHEME

Class of application	Provision
▪ The building or works are associated with a primary school or secondary school and have an estimated cost of up to \$700,000; and ▪ The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes: – clause 54.02-3 Side and rear setbacks. – clause 54.02-4 Walls on boundaries. – clause 54.04-1 Daylight to existing windows. – clause 54.04-2 Existing north-facing windows. – clause 54.04-3 Overshadowing secluded open space. – clause 54.04-4 Overlooking. – clause 54.05-2 Overshadowing domestic solar energy systems.	

Transitional provisions

Clauses 32.10-7, 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.

32.10-8

25/02/2025
VC257

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

A building must not be constructed on land specified in Column 1 of the Table to this clause for use as a dwelling, small second dwelling or a residential building that:

- exceeds the applicable maximum building height specified in Column 2 of the Table corresponding to that land; or
- contains more than the applicable maximum number of storeys specified in Column 3 of the Table corresponding to that land.

In the Table to this clause, *large site* means:

- a lot with an area of at least 1000 square metres and a frontage of at least 20 metres; or
- two or more contiguous lots with a combined area of at least 1000 square metres and a combined frontage of at least 20 metres.

Column 1 Land	Column 2 Maximum building height	Column 3 Maximum number of storeys
Land shown on a planning scheme map as HCTZ1	The maximum building height is: ▪ 13.5 metres; or ▪ if the building is constructed on a large site, 21.5 metres.	The maximum number of storeys at any point is: ▪ four storeys; or ▪ if the building is constructed on a large site, six storeys.

BAYSIDE PLANNING SCHEME

Column 1 Land	Column 2 Maximum building height	Column 3 Maximum number of storeys
Land shown on a planning scheme map as HCTZ2	The maximum building height is: ▪ 11 metres; or ▪ if the building is constructed on a large site, 13.5 metres.	The maximum number of storeys at any point is: ▪ three storeys; or ▪ if the building is constructed on a large site, four storeys.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if any of the following apply:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the approval date of the amendment to this planning scheme that included the land to which the permit applies in this zone.
- An overlay applies to the land and:
 - The overlay includes a maximum building height requirement that is higher than the applicable maximum building height specified in this clause or includes a maximum number of storeys requirement that is more than the applicable maximum number of storeys specified in this clause.
 - The maximum building height requirement or maximum number of storeys requirement in the overlay applies to the construction of the building.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building heights and maximum number of storeys requirements in this zone apply whether or not a planning permit is required for the construction of a building.

Building height if the land is subject to inundation

If the land is in a Special Building Overlay or a Land Subject to Inundation Overlay, or is land liable to inundation, the maximum building height specified in the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

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

BAYSIDE PLANNING SCHEME

- 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 to six storeys, excluding a basement, the site description and design response as required in clause 57.
- For an apartment development of seven storeys or more, excluding a basement, an urban context report and design response as required in clause 58.
- 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 goods and materials, hours of operation and light spill, solar access and glare.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.10-10

16/04/2026
VC300

Exemption from notice and review

Subdivision

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Construction and extension of one dwelling on a lot

An application under clause 32.10-3 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 32.10-4 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 building

An application under clause 32.10-5 for a development of three storeys or less, excluding a basement, 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.

An application under clause 32.10-5 for a development of four to six storeys, excluding a basement, 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 57.02 and 57.04 are met.

32.10-11

16/04/2026
VC300

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- Overlooking and overshadowing impacts to adjoining land in the General Residential Zone, Housing Choice and Transport Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in the Housing Choice and Transport Zone, Mixed Use Zone or Residential Growth Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of clause 56.

Dwellings, small second dwellings and residential buildings

- Whether the proposed building height provides for a transition in scale to adjacent areas with less or more intensive built form expectations.
- For the construction and extension of one dwelling on a lot and a small second dwelling, the applicable objectives, standards and decision guidelines of clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of three storeys or less, excluding a basement, the objectives, standards and decision guidelines of clause 55.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings of four to six storeys, excluding a basement, the objectives, standards and decision guidelines of clause 57.
- For the construction and extension of an apartment development of seven storeys or more, excluding a basement, the objectives, standards and decisions guidelines of clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
 - Whether the use generally serves local community needs.
 - The scale and intensity of the use and development.
 - The design, height, setback and appearance of the proposed buildings and works.
 - The proposed landscaping.
 - The provision of car and bicycle parking and associated accessways.
 - Any proposed loading and refuse collection facilities.
 - The safety, efficiency and amenity effects of traffic to be generated by the proposal.
-

32.10-12

25/02/2025
VC257

Signs

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

32.10-13

25/02/2025
VC257

Transitional provision

In this clause:

- ***amended application*** means an application amended under section 50, 50A or 57A of the Act if the original application was made before the relevant approval date;
- ***relevant approval date*** means the approval date of the amendment to this planning scheme that included the land to which a transition application or transition permit applies in this zone;
- ***transition application*** means an application made before the relevant approval date or an amended application;
- ***transition permit*** means a permit that allows the construction of a building for use as a dwelling, small second dwelling or residential building granted in respect of a transition application if the building height of the permitted building, or the number of storeys in the permitted building at any point, is greater than the applicable maximum building height or maximum number of storeys, respectively, specified in clause 32.10-8.

The requirements of the zone the land was included in immediately before the approval date and any applicable schedule to that zone continue to apply to:

- A transition application.
 - An application for an amendment of a transition permit under section 72 of the Act.
-

INDUSTRIAL ZONES

33.0131/07/2018
VC148**INDUSTRIAL 1 ZONE**

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.

33.01-114/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Convenience shop	
Crop raising	
Grazing animal production	
Home based business	
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

BAYSIDE PLANNING SCHEME

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. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Shipping container storage	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 100 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Shipping containers must be setback at least 9 metres from a road in a Transport Zone 2 or a Transport Zone 3. The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

BAYSIDE PLANNING SCHEME

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. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under Dangerous Goods (HCDG) Regulations 2016. Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)	
Caretaker's house	
Container deposit scheme centre	

BAYSIDE PLANNING SCHEME

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 or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Utility installation (other than Minor utility installation and Telecommunications facility).	Any 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**14/01/2025
VC237**Use of land****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.

33.01-331/07/2018
VC148**Subdivision****Permit requirement**

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

- Interface with non-industrial areas.

33.01-420/04/2026
VC307**Buildings and works****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 \$1,400,000 where the land is not: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for an Adult sex product shop.	Clause 59.04

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.

BAYSIDE PLANNING SCHEME

- 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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 2.

04/02/2021
C168bays

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

1.0

04/02/2021
C168bays

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

COMMERCIAL ZONES

34.0131/07/2018
VC148**COMMERCIAL 1 ZONE**

Shown on the planning scheme map as **B1Z, B2Z, B5Z or C1Z**.

Purpose

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

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation

A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:

- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises).

34.01-114/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Accommodation (other than Community care accommodation, Corrective institution, Rooming house and Small second dwelling)	Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).
Art and craft centre	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Child care centre	Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).
Cinema	
Cinema based entertainment facility	
Community care accommodation	Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.
Education centre (other than Child care centre)	
Exhibition centre	
Home based business	
Informal outdoor recreation	

BAYSIDE PLANNING SCHEME

Use	Condition
Office	The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Railway	
Retail premises (other than Shop)	
Rooming house	Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop)	The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Animal production and Apiculture)	
Container deposit scheme centre	
Grazing animal production	
Industry (other than Automated collection point and Container deposit scheme centre)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.
Warehouse	Must not be a purpose listed in the table to Clause 53.10.

BAYSIDE PLANNING SCHEME

Use	Condition
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Animal production (other than Grazing animal production)
Corrective institution
Major sports and recreation facility
Motor racing track
Small second dwelling

34.01-2

15/07/2013
VC100

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.01-3

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if:	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	

34.01-420/04/2026
VC307**Buildings and works**

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

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$700,000 where the land is not:	Clause 59.04
▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for an Adult sex product shop.	

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

08/09/2025
VC282

Site description and design response

An application for any of the following must be accompanied by a site description and a design response as described in Clause 54.01, 55.01 or 57.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.

34.01-6

14/01/2025
VC237

Application requirements

Use

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
 - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
-

- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

34.01-7

31/07/2018
VC148

Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.01-8

08/09/2025
VC282

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Subdivision

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
 - The provision of car parking.
 - The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
 - The storage of rubbish and materials for recycling.
-

BAYSIDE PLANNING SCHEME

- 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

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.

BAYSIDE PLANNING SCHEME

04/02/2021
C168bays

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

1.0

04/02/2021
C168bays

Maximum leasable floor area requirements

Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
None specified	None specified	None specified

34.0231/07/2018
VC148**COMMERCIAL 2 ZONE**

Shown on the planning scheme map as **B3Z**, **B4Z** or **C2Z**.

Purpose

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

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

34.02-114/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Art and craft centre	
Art gallery	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Cinema	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Cinema based entertainment facility	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Food and drink premises	The leasable floor area must not exceed 100 square metres.
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10 with no threshold specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.
Informal outdoor recreation	

BAYSIDE PLANNING SCHEME

Use	Condition
Mail centre	
Museum	
Office	
Postal agency	
Railway	
Restricted retail premises	
Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)	Must adjoin, or be on the same land as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Supermarket	The leasable floor area must not exceed 1800 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.
Trade supplies	
Tramway	
Warehouse (other than Mail centre)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.

BAYSIDE PLANNING SCHEME

Use	Condition
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Animal production and Apiculture)	
Caretaker's house	
Container deposit scheme centre	
Education centre	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Materials recycling	
Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)	
Residential hotel	
Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)	
Supermarket – if the Section 1 conditions are not met	The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Transfer station (other than Automated collection point and Container deposit scheme centre)	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

BAYSIDE PLANNING SCHEME

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

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house and Residential hotel)
Animal production (other than Grazing animal production)
Hospital
Major sports and recreation facility
Motor racing track

34.02-2

15/07/2013
VC100

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.02-3

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02

Class of application	Information requirements and decision guidelines
Subdivide land into 2 lots if:	Clause 59.02
- The construction of a building or the construction or carrying out of works on the land: - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. - The subdivision does not create a vacant lot.	

34.02-4

20/04/2026
VC307

Buildings and works

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

This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to \$700,000 where the land is not:	Clause 59.04
- Within 30 metres of land (not a road) which is in a residential zone. - Used for a purpose listed in the table to Clause 53.10. - Used for an Adult sex product shop.	

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.02-5

14/01/2025
VC237

Application requirements

Use

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

- The purpose of the use and the types of activities which will be carried out.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
 - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
 - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Building and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and purpose of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All driveway, car parking and loading areas.
 - Proposed landscape areas.
 - All external storage and waste treatment areas.
 - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

34.02-6

31/07/2018
VC148

Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.02-731/07/2018
VC148**Decision guidelines****General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

Subdivision

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

34.02-831/07/2018
VC148**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.

PUBLIC LAND ZONES

36.0131/07/2018
VC148**PUBLIC USE ZONE**

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

Purpose

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

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

36.01-114/11/2022
VC227**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.

Section 2 - Permit required

Use	Condition

Section 3 - Prohibited

Use
Nil

36.01-219/01/2006
VC37**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.01-319/01/2006
VC37**Application requirements**

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.01-4

31/07/2018
VC148

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.01-5

19/01/2006
VC37

Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

36.01-6

14/01/2025
VC237

Table of public land use

Shown on the planning scheme map	Purpose of public land use
PUZ1	Service & Utility
PUZ2	Education
PUZ3	Health & Community
PUZ5	Cemetery/Crematorium
PUZ6	Local Government
PUZ7	Other public use

36.01-7

20/01/2022
VC205

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

Where a Transport Zone 2 or a Transport Zone 3 is the nearest adjoining zone, a permit is required to display a sign.

BAYSIDE PLANNING SCHEME

04/02/2021
C168bays

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0

04/02/2021
C168bays

Permit exemptions and conditions

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

2.0

04/02/2021
C168bays

Sign requirements

Land	Sign Category
None specified	None specified

36.0231/07/2018
VC148**PUBLIC PARK AND RECREATION ZONE**Shown on the planning scheme map as **PPRZ**.**Purpose**

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

To recognise areas for public recreation and open space.

To protect and conserve areas of significance where appropriate.

To provide for commercial uses where appropriate.

36.02-114/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Informal outdoor recreation	
Open sports ground	Must be conducted by or on behalf of the public land manager. Must not be on coastal Crown land under the <i>Marine and Coastal Act 2018</i> .
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Contractor's depot	Must be either of the following:
Heliport	A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 2020</i> , the <i>Reference Areas Act 1978</i> , the <i>National Parks Act 1975</i> , the <i>Fisheries Act 1995</i> , the <i>Wildlife Act 1975</i> , the <i>Forest Act 1958</i> , the <i>Water Industry Act 1994</i> , the <i>Water Act 1989</i> , the <i>Marine Safety Act 2010</i> , the <i>Port Management Act 1995</i> , or the <i>Crown Land (Reserves) Act 1978</i> .
Office	
Retail premises	
Store	
Any other use not in Section 3	
	A use specified in an Incorporated plan in a schedule to this zone.

Section 2 - Permit required

Use	Condition
Contractor's depot - if the Section 1 condition is not met	Must be associated with the public land use.
Heliport - if the Section 1 condition is not met	Must be associated with the public land use.
Office - if the Section 1 condition is not met	Must be associated with the public land use.
Retail premises - if the Section 1 condition is not met	Must be associated with the public land use.

Use	Condition
Store - if the Section 1 condition is not met	Must be associated with the public land use.

Section 3 - Prohibited

Use
Cinema based entertainment facility
Corrective institution
Display home centre
Funeral parlour
Industry (other than Automated collection point)
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

36.02-2

14/01/2025
VC237

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
 - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
 - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
 - Navigational beacons and aids.
 - Planting or landscaping.
 - Fencing that is 1 metre or less in height above ground level.
 - A building or works shown in an Incorporated plan which applies to the land.
 - A building or works carried out by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forest Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978*.
- Subdivide land.

36.02-3

19/01/2006
VC37

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.

- To the application for permit being made and to the proposed use or development.

36.02-4

31/07/2018
VC148

Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

36.02-5

31/07/2018
VC148

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.02-6

19/01/2006
VC37

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

36.02-7

19/01/2006
VC37

Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.02-8

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

04/02/2021
C168bays

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0

04/02/2021
C168bays

Permit exemptions and conditions

Public land	Use or development	Conditions
Merindah Park	None specified	There must be no vehicle access through the park. There must be no direct access into the park from abutting residential properties.

2.0

28/01/2022
C175bays

Sign requirements

Land	Sign Category
Sandringham Golf Course	Category 3
Cheltenham Road, Black Rock	

3.0

28/01/2022
C175bays

Use and development of land specified in an Incorporated Plan

None specified.

36.0331/07/2018
VC148**PUBLIC CONSERVATION AND RESOURCE ZONE**

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

Purpose

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

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

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

To provide for appropriate resource based uses.

36.03-114/01/2025
VC237**Table of uses****Section 1 - Permit not required**

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 2011.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Boat launching facility	Must be either of the following:
Camping and caravan park	- A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 2020</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Safety Act 2010</i>, the <i>Port Management Act 1995</i> or the <i>Crown Land (Reserves) Act 1978</i>. - Specified in an Incorporated plan in a schedule to this zone.
Caretaker's house	
Car park	
Informal outdoor recreation	
Interpretation centre	
Jetty	
Kiosk	
Marine dredging	
Mooring pole	
Open sports ground	
Pier	
Pontoon	
Road	
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01 (other than Apiculture)	

Use	Condition
Any other use not in Section 2 or 3	Must be a use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 2020</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forests Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Safety Act 2010</i>, the <i>Port Management Act 1995</i> or the <i>Crown Land (Reserves) Act 1978</i>.

Section 2 - Permit required

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

Section 3 - Prohibited

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

36.03-2

14/01/2025
VC237

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
 - A building or works shown in an Incorporated plan which applies to the land.
 - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978*.
 - A building or works carried out by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the

Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Safety Act 2010, the Port Management Act 1995, the Crown Land (Reserves) Act 1978, or the Road Management Act 2004.

- Subdivide land.

36.03-3

20/03/2023
VC229

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

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

36.03-4

31/07/2018
VC148

Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

36.03-5

18/06/2010
VC62

Referral of applications

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

36.03-6

31/07/2018
VC148

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.03-7

18/06/2010
VC62

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
 - The building envelope of any proposed buildings.
 - Details of proposed buildings or works.
 - The location of pedestrian or vehicle access points or car parking areas.
 - The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
 - Topographic details including any proposed cut and fill.
 - The location of existing and proposed features.
-

BAYSIDE PLANNING SCHEME

- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

36.03-8

18/06/2010
VC62

Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.03-9

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

04/02/2021
C168bays

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE**1.0**

04/02/2021
C168bays

Permit exemptions and conditions

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

2.0

04/02/2021
C168bays

Sign requirements

Land	Sign Category
None specified	None specified

3.0

04/02/2021
C168bays

Use and development of land specified in an Incorporated Plan

None specified.

36.0420/01/2022
VC205**TRANSPORT ZONE**

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

Purpose

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

To provide for an integrated and sustainable transport system.

To identify transport land use and land required for transport services and facilities.

To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.

To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.

36.04-115/03/2024
VC256**Table of uses****Section 1 - Permit not required**

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Railway	
Railway station	The combined leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 800 square metres.
Tramway	
Transport terminal (other than Railway station)	The use must be carried out by or on behalf of a relevant transport manager.
Utility installation (other than Minor utility installation and Telecommunications facility)	The use must be carried out by or on behalf of a relevant transport manager.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	The use must be for a transport purpose and carried out by or on behalf of a relevant transport manager.

Section 2 - Permit required

Use	Condition
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Section 3 - Prohibited

Use
Nil

36.04-220/01/2022
VC205**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.04-320/01/2022
VC205**Application requirements**

An application by a person other than a relevant transport manager on land shown on a planning scheme map as TRZ1 or TRZ2 must be accompanied by the written consent of the Head, Transport for Victoria, indicating that the Head, Transport for Victoria consents generally or conditionally to either:

- The application being made.
- The application being made and to the proposed use or development.

36.04-420/01/2022
VC205**Table of transport uses**

Shown on the planning scheme map	Purpose of transport use
TRZ1	State transport infrastructure
TRZ2	Principal road network
TRZ3	Significant municipal road
TRZ4	Other transport use

36.04-520/01/2022
VC205**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the development, operation and safety of the transport system.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.04-612/02/2024
VC254**Signs**

Sign requirements are at Clause 52.05.

A permit is required to construct or put up for display a sign:

- over a road carriageway or over land within 600 millimetres of a carriageway.
- on land in a Transport Zone 1, if a Transport Zone 2 or Transport Zone 3 is the adjoining zone.

For all other land in this zone, the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

SPECIAL PURPOSE ZONES

37.0831/07/2018
VC148**ACTIVITY CENTRE ZONE**

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

Purpose

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

To encourage a mixture of uses and the intensive development of the activity centre:

- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.

To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.

To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.

To facilitate use and development of land in accordance with the Development Framework for the activity centre.

37.08-117/09/2009
VC59**Operation**

A schedule to this zone comprises the Development Framework for the activity centre.

A schedule to this zone must contain:

- A framework plan for the activity centre.
- A statement of the activity centre land use and development objectives to be achieved.

A schedule to this zone may contain:

- Centre-wide provisions.
- Precinct provisions.

37.08-217/09/2009
VC59**Table of uses****Section 1 - Permit not required**

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone.

Section 2 - Permit required

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

37.08-317/09/2009
VC59**Use of land**

Any requirement in the schedule to this zone must be met.

37.08-414/12/2023
VC253**Subdivision**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: - The area of either lot is reduced by less than 15 percent. - The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: - The construction of a building or the construction or carrying out of works on the land: - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. - Has started lawfully. - The subdivision does not create a vacant lot.	Clause 59.02

37.08-520/04/2026
VC307**Buildings and works**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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

Construct a building or construct or carry out works with an estimated cost of up to \$700,000 and the land is not:

- Within 30 metres of land (not a road) which is in a residential zone.
- Used for a purpose listed in the table to Clause 53.10.

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

37.08-6

17/09/2009
VC59

Design and development

A schedule to this zone may include requirements relating to:

- Building setbacks.
- Building height.
- Building materials.
- Access.
- Landscaping.
- Public realm.
- Any other requirements or guidelines relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

37.08-7

14/01/2025
VC237

Application requirements

Use

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

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
 - The siting and use of buildings.
 - Areas not required for immediate use.
 - Adjacent buildings and uses.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access, glare, air-borne emissions and emissions to land and water.
- If an industry or warehouse:
 - The type and quantity of goods to be stored, processed or produced.

BAYSIDE PLANNING SCHEME

- 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.
- Any other information specified in the schedule to this zone.

Subdivision

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

- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The pattern of subdivision of the surrounding area.
 - Easements.
 - Location of drainage and other utilities.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Any natural features.
- Any other information specified in the schedule to this zone.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
 - Any contaminated soils and filled areas, where known.
 - The layout of existing and proposed buildings and works.
 - The internal layout and use of the proposed development.
 - All access and pedestrian areas.
 - All driveway, car parking and loading areas.
 - Existing vegetation and proposed landscape areas.
 - All external storage and waste treatment areas.
 - The location of easements and services.
 - Elevation plans drawn to scale and dimensioned which show:
 - The building form and scale.
-

- Setbacks to property boundaries.
- Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).
- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.
- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.
- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.
- An assessment of the characteristics of the area including:
 - Any environmental features such as vegetation, topography and significant views.
 - Street design and landscape.
 - The pattern of development.
 - Building form, scale and rhythm.
 - Architectural style, building details and materials.
 - Connection to the public realm.
 - Any significant noise, odour, fume and vibration sources to and/or from the development.
- A landscape plan which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.
- Any other information specified in the schedule to this zone.

37.08-8

31/07/2018
VC148

Exemption from notice and review

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless the schedule to this zone specifies otherwise.

A schedule to this zone may specify an application in respect of land in an Activity Centre Zone under any other specified provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

37.08-9

08/09/2025
VC282

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
 - The development framework plan set out in the schedule to this zone.
 - The land use and development objectives set out in the schedule to this zone.
-

BAYSIDE PLANNING SCHEME

- The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
 - existing uses are not compromised by a new development, or
 - a new development is designed to address amenity impacts from existing uses.
- Any requirements set out in the schedule to this zone.
- Any other decision guidelines specified in the schedule to this zone.

Access

- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

Use

- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Design and built form

- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The interface with adjoining zones, especially the relationship with residential zones.
- The objectives, standards and decision guidelines of Clause 54. 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.
- The storage of rubbish and materials for recycling.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

BAYSIDE PLANNING SCHEME

- 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.

37.08-10

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

37.08-11

17/09/2009
VC59

Other provisions of the scheme

The schedule to this zone may specify that other provisions of the scheme do not apply.

15/08/2019
C151bays

SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ1.

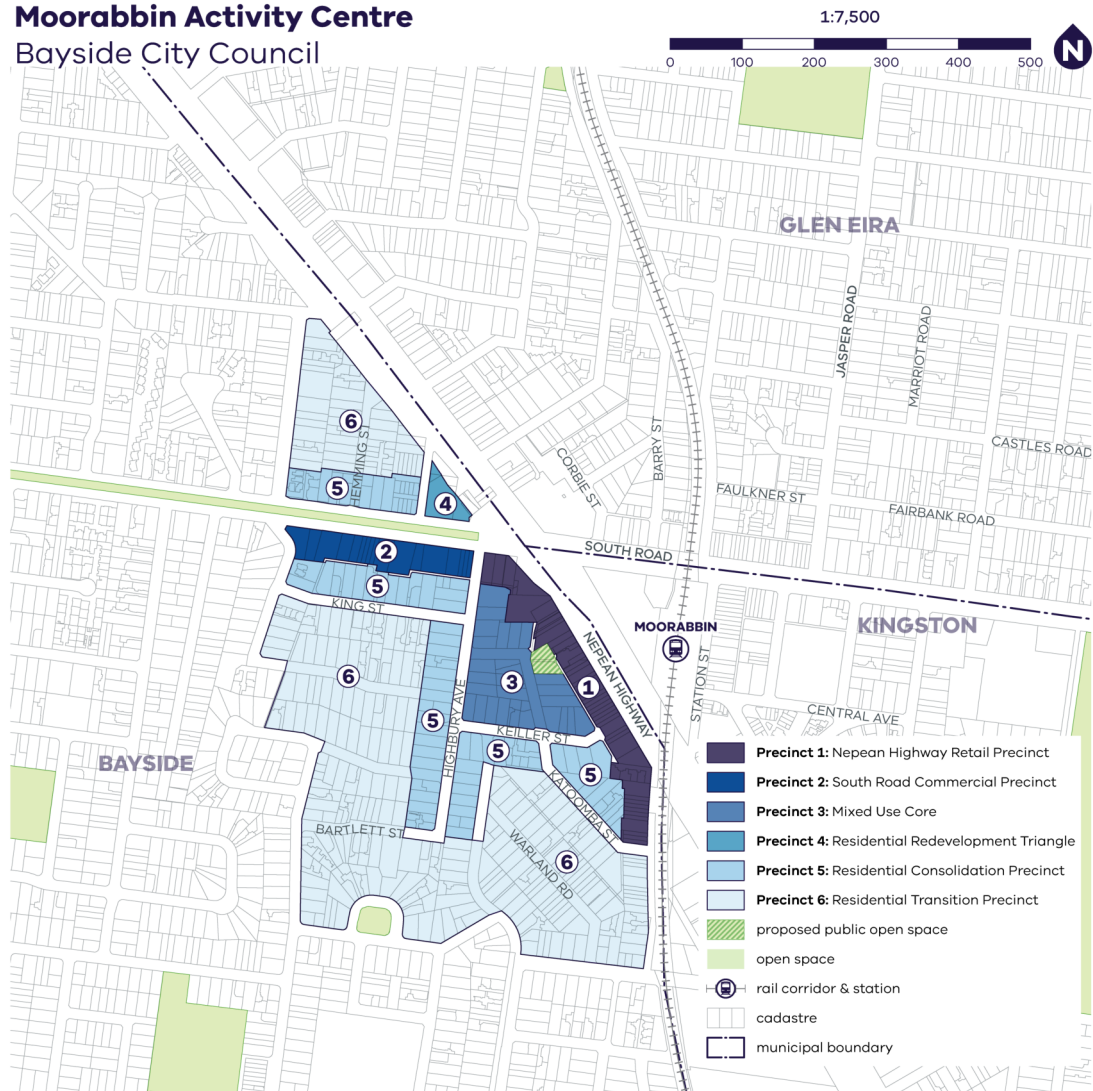
HAMPTON EAST (MOORABBIN) ACTIVITY CENTRE

1.0

11/04/2025
GC252

Hampton East (Moorabbin) Activity Centre Framework Plan

Moorabbin Activity Centre Bayside City Council



2.0

11/04/2025
GC252

Land use and development objectives to be achieved

To create a well-connected centre to live, work and play with a range of housing choices, services, facilities and vibrant, accessible public spaces that meet the ongoing needs of Bayside community.

Land use

- Increase housing diversity to meet the housing needs of the varied population.
- Improve the economic viability of the centre by increasing the local population.
- Encourage a health focus within the South Road Commercial Precinct to capitalise on existing specialisation.

- Create a new public open space for community use in the centre's core to improve the overall amenity of the centre.
- Establish a clear brand for the centre as a lifestyle destination which specialises in outdoor-adventure retail, health services, cafes and high-quality, diverse housing.

3.0

11/04/2025
GC252

Table of uses

Section 1 - Permit not required

Use	Condition
Animal keeping (other than Animal boarding)	Must be no more than two animals.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Dependant person's unit	In Precinct 1 or 2, any frontage at ground floor level must not exceed 2 metres. Must be the only dependant person's unit on the lot.
Dwelling (other than Caretaker's house)	In Precinct 1 or 2, any frontage at ground floor level must not exceed 2 metres.
Caretaker's house	In Precinct 1, 2 or 3, any frontage at ground floor level must not exceed 2 metres.
Convenience shop	Must be located in Precinct 1, 2 or 3.
Education Centre	Must be located in Precinct 1, 2 or 3. Any ground floor frontage must not exceed 2 metres.
Electoral office	Must be located in Precinct 1, 2 or 3. May be used for only 4 months before an election and 2 weeks after an election.
Food and Drink Premises (other than Hotel or Tavern)	Must be located in Precinct 1, 2 or 3. In Precinct 3 must be located fronting central open space.
Informal outdoor recreation	Must be located in Precinct 3.
Medical centre	Must be located in Precinct 2.
Minor utility installation	
Office (other than Electoral office or Medical Centre)	Must be located in Precinct 1, 2, or 3. In Precinct 1 and 3, must be located above ground floor unless office is a bank, real estate agency, travel agency or any other office where the office adjoining the street frontage is a customer service area and is accessible to the public.

BAYSIDE PLANNING SCHEME

Use	Condition
	In Precinct 2, must be associated with a health or medical-related function.
Postal agency	Must be located in Precinct 1 or 3.
Residential aged care facility	Must be located in Precinct 3, 4, 5 or 6
Shop (other than Adult sex bookshop and Convenience shop)	Must be located in Precinct 1, 2 or 3. In Precinct 3, the leasable floor area must not exceed 250 square metres.
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Dependent person's unit, Dwelling, Caretaker's house or Residential aged care facility)	
Amusement parlour	Must be located in Precinct 1 or 3.
Animal keeping (other than Animal boarding)	In Precincts 4, 5 and 6 must be no more than five animals.
Child care centre	In Precinct 1 or 2, any frontage at ground floor level must not exceed 2 metres.
Commercial display area	Must be located in Precinct 1 or 2.
Dry Cleaner	Must be located in Precinct 1 or 2.
Hotel	Must be located in Precinct 1, 2 or 3.
Leisure and recreation (other Informal outdoor recreation, Major sports and recreation facility, Motor racing track, Open sports ground and Outdoor recreation facility)	
Office (other than Electoral office or Medical Centre)	Must be located in Precinct 1, 2, 3 or 4.
Place of assembly (other than Amusement parlour, Drive-in theatre or Nightclub)	Must be located in Precinct 1, 2 or 3.
Research and development centre	Must be located in Precinct 1, 2 or 3. Any frontage at ground floor level must not exceed 2 metres.
Residential aged care facility	
Retail premises (other than Food and drink premises, Postal agency, and Shop)	Must be located in Precinct 1, 2 or 3. Must be located at ground floor but is not limited to ground floor.

BAYSIDE PLANNING SCHEME

Use	Condition
Tavern	Must be located in Precinct 1 or 2.
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Adult sex bookshop
Agriculture (other than Apiculture or Animal keeping)
Animal boarding
Airport
Camping and caravan park
Corrective institution
Drive-in theatre
Host farm
Industry (other than Automated collection point, Dry cleaner and Research and development centre)
Major sports and recreation facility
Motor Racing Track
Nightclub
Open sports ground
Outdoor recreation facility
Service Station
Warehouse (other than Commercial display area)

4.0

11/04/2025
GC252

Centre-wide provisions

4.1

11/04/2025
GC252

Use of land

A planning permit is not required to use land for the purpose of Local Government or Education providing the use is carried out by, or on behalf of, the public land manager.

4.2

11/04/2025
GC252

Subdivision

A planning permit is required to subdivide land.

An application to subdivide land must demonstrate how the proposal will facilitate creation of development sites that achieve development objectives of the Hampton East (Moorabbin) Structure Plan.

Applications for the subdivision of land that are not associated with a development proposal that supports the objectives of this schedule are discouraged.

4.3

11/04/2025
GC252

Buildings and works

A planning permit is not required to construct a building or carry out works for the following:

- The following in Precincts 1 and 2:

- An alteration to an existing building façade provided:
 - The alteration does not include the installation of an external roller shutter.
 - At least 80 percent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if authorised by the public land manager.
- An automatic teller machine.
- Construct or extend a dwelling on a lot greater than 500 square metres.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Construct a front fence associated with one dwelling on a lot of less than 500 square metres if the fence does not exceed the maximum height specified in Clause 54.06-2.

The requirements of clause 54 apply to the development of a dwelling on a lot less than 500 square metres.

4.4

11/04/2025
GC252

Design and development

The following design and development requirements apply to an application to construct a building or construct or carry out works:

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

The requirements of clause 55 apply to the following:

- Construct a dwelling if there is at least one existing dwelling 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.
- 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.
 - The fence exceeds the height specified in Clause 55.06-2.

5.0

11/04/2025
GC252

Precinct provisions

5.1

Precinct 1 – Nepean Highway Retail Precinct

5.1-1

Precinct map



5.1-2

Precinct objectives

- To establish a vibrant shopping street with cafes, restaurants and range of daily and speciality retailers.
- To provide housing conveniently located above retail and office uses.
- Provide opportunities for office development above ground floor retail.
- Encourage the outdoor-speciality role of retail area to build on existing strengths.
- To create an amenity buffer between the pedestrian environment and the Nepean Highway.
- Encourage the creation of a pedestrian link to the proposed public open space according to the framework plan.

5.1-3

Precinct guidelines

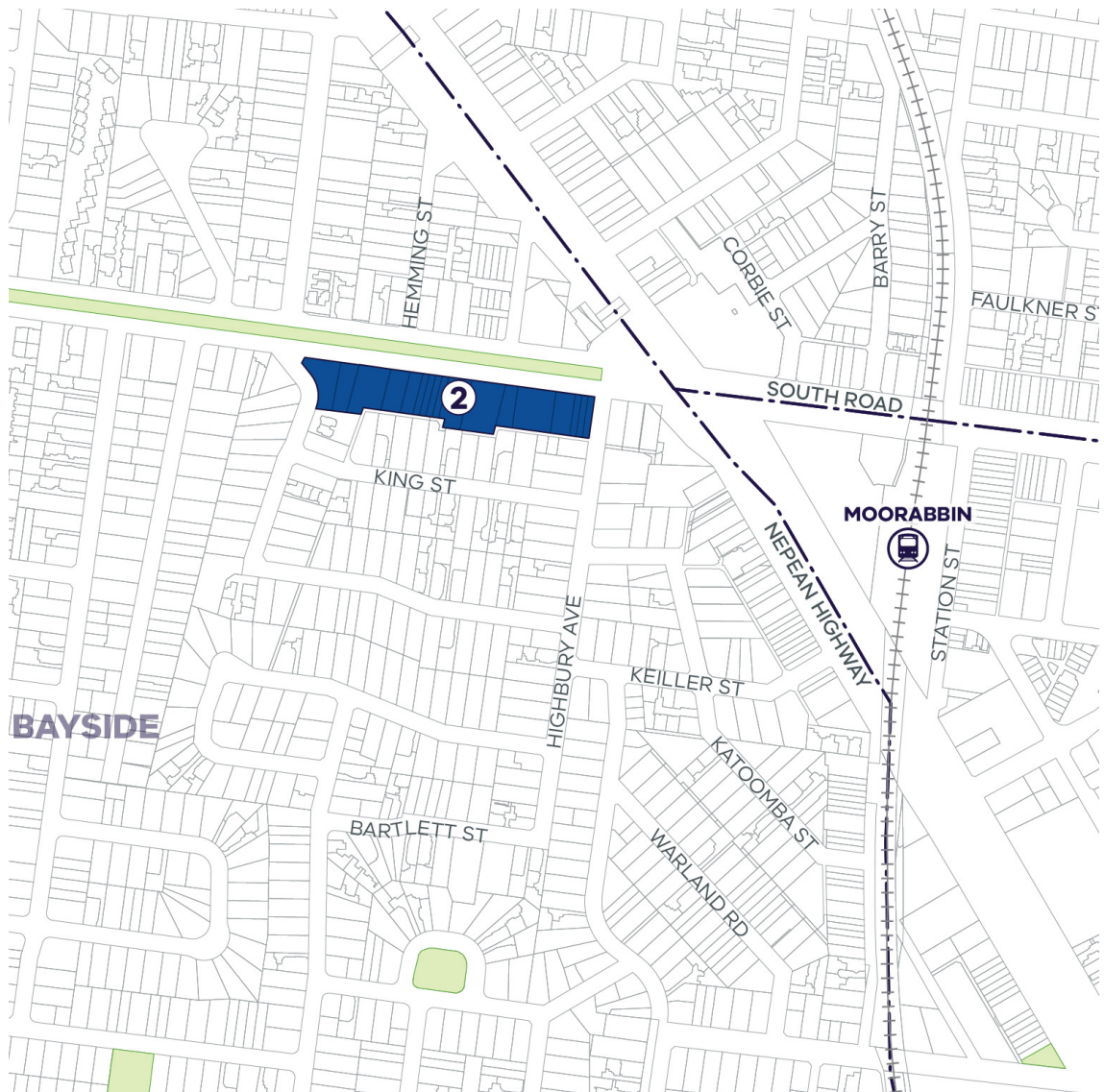
- The first storey above retail should incorporate office development with access via new pedestrian connections to the central public open space, where appropriate.
- Residential development should be provided on storeys above office and retail.
- Encourage outdoor dining and footpath trading activity along the Nepean Highway and adjacent to the central public open space.
- Development should provide its parking requirements on site through the use of basement parking, accessed via laneways.
- New use and development should provide bicycle parking facilities and shower and change facilities for staff.
- Improve the pedestrian environment crossing the Nepean Highway connecting to the Moorabbin Railway Station.

5.2

Precinct 2 – South Road Commercial Precinct

5.2-1

Precinct map



5.2-2 Precinct objectives

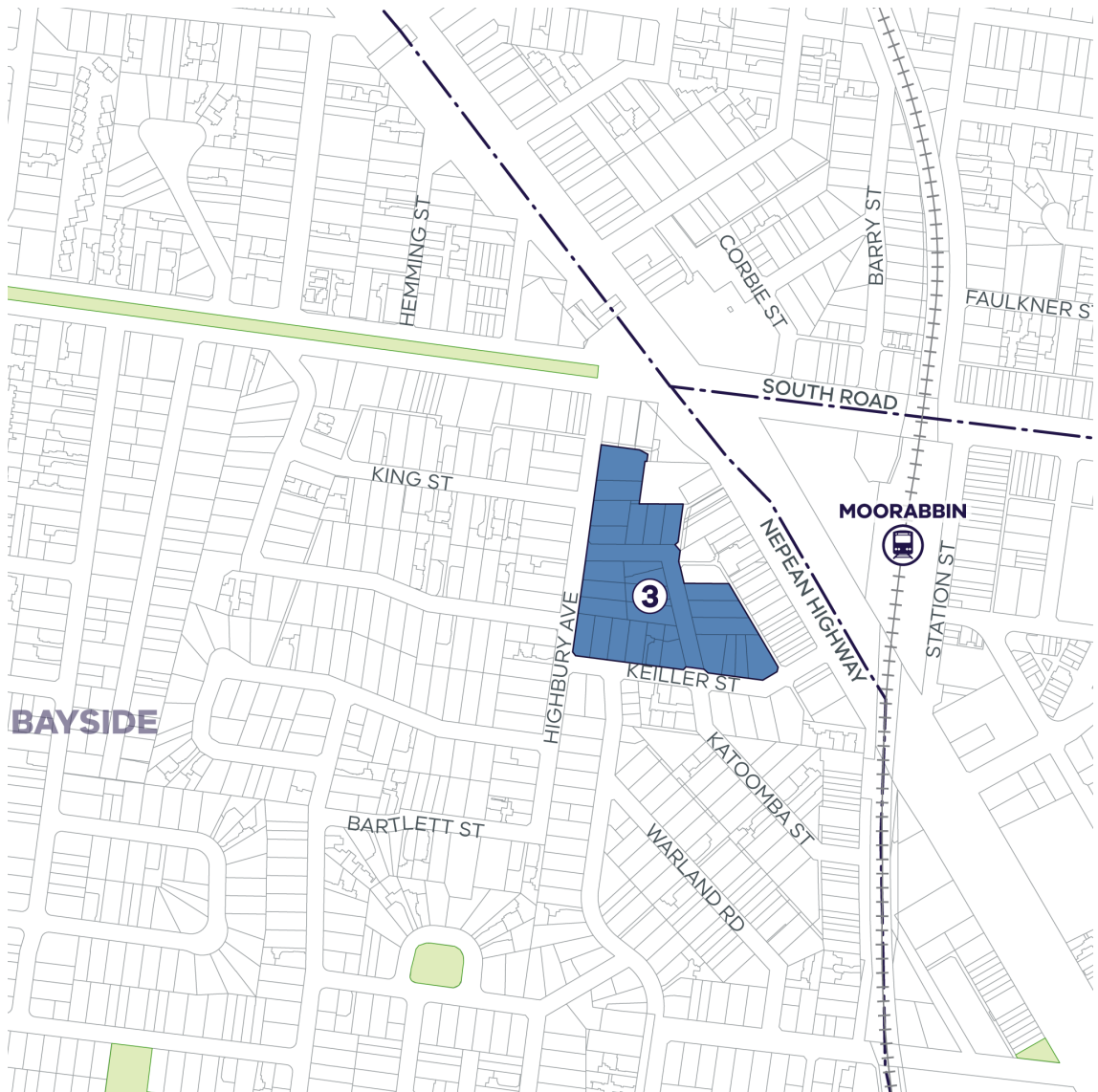
- Encourage a health focus to capitalise on existing specialisation and meet the needs of the local population.
- Strengthen the boulevard planting along South Road and protect long range views along this corridor.
- Encourage high-quality consolidated apartment development that can accommodate medical office suites at ground floor and first floor.
- Encourage undercroft and basement car parking that responds to the topography.

5.2-3 Precinct guidelines

- Existing rear access in laneways should be used wherever possible to minimise vehicle crossings disrupting the pedestrian environment along South Road.
 - Medical uses with active frontages and public areas addressing South Road at the ground floor, with the use encompassing both the ground and first floor.
 - Development of land adjacent to the South Road / Charming Street intersection must not compromise the future installation of traffic signals at this intersection.
 - Development should provide its parking requirements and capacity for service vehicles by utilising the rear laneway.
 - Laneway connections through the precinct should be strengthened and vehicle access to development should be provided via laneways.
 - Development must provide high amenity for pedestrians, particularly along South Road.
 - Encourage the provision of wayfinding signage at the South Road / Charming Street intersection.
 - Enhance the appearance of South Road as a boulevard streetscape.
 - New use and development should provide bicycle parking facilities and shower and change facilities for staff.
-

5.3 Precinct 3 –Mixed Use Core

5.3-1 Precinct map



5.3-2 Precinct objectives

- Provide high quality consolidated apartment and mixed use development.
- Provide integrated basement car parking.
- Provide a public open space adjoining the mixed use core with convenient access from Nepean Highway and Keiller Street via active, safe pedestrian laneways according to the framework plan.
- Encourage active, retail land uses at the ground floor adjoining the open space.
- Encourage site consolidation to achieve the maximum heights for the Precinct.

5.2-3 Precinct guidelines

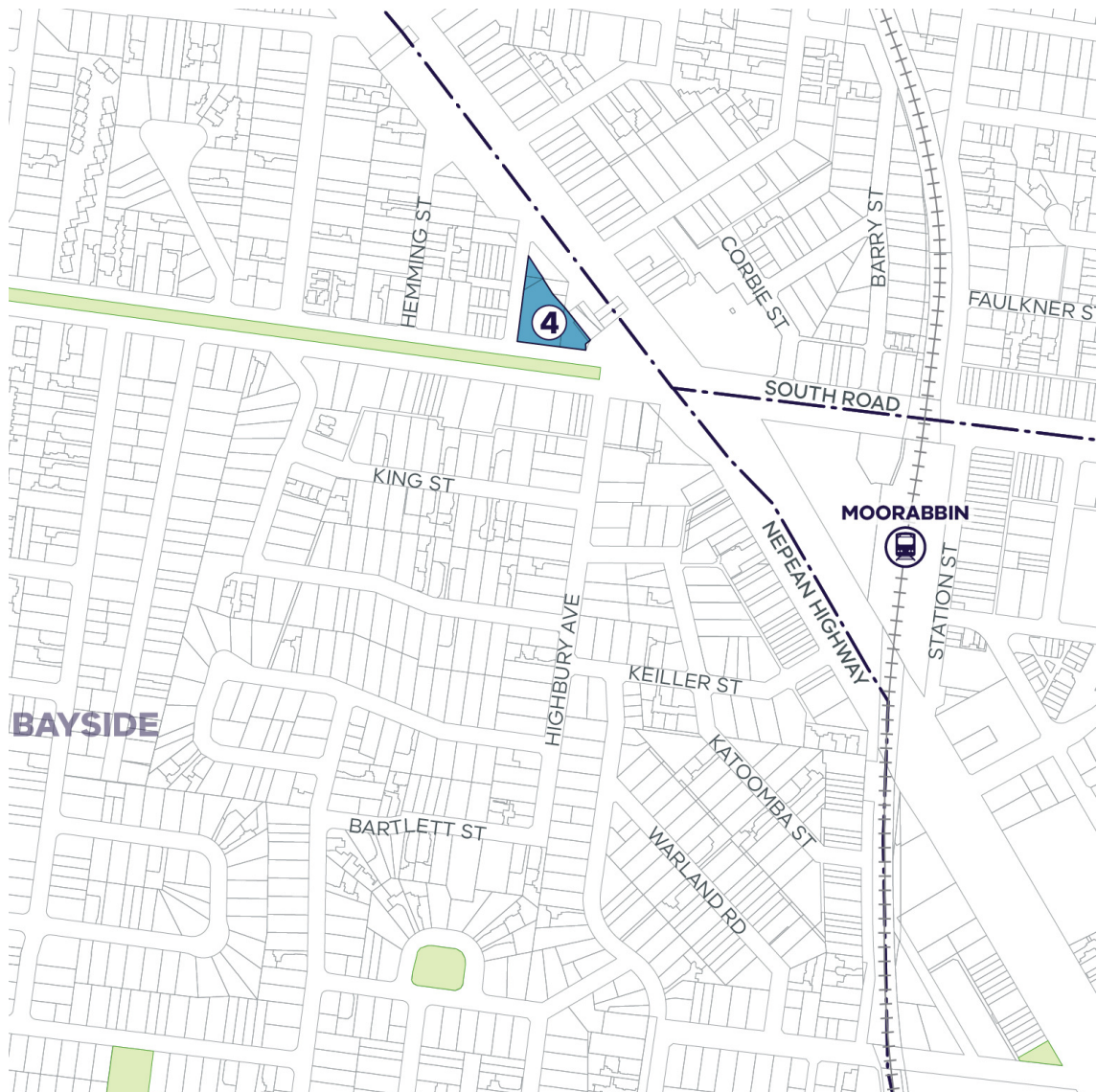
- Encourage the beautification of the Reynolds Street streetscape, including the provision of pedestrian footpaths along both sides.
- Land consolidation is encouraged to allow for appropriate development.

BAYSIDE PLANNING SCHEME

- Basement parking should be provided with provision for publicly accessible spaces in mixed use development.
- Distinct canopy planting should be incorporated into site configurations to achieve a leafy residential landscape character.
- Redevelopment should ensure it achieves the objectives relating to the creation of community focused public open space.

5.4 Precinct 4 – Residential Redevelopment Triangle

5.4-1 Precinct map



5.4-2 Precinct objectives

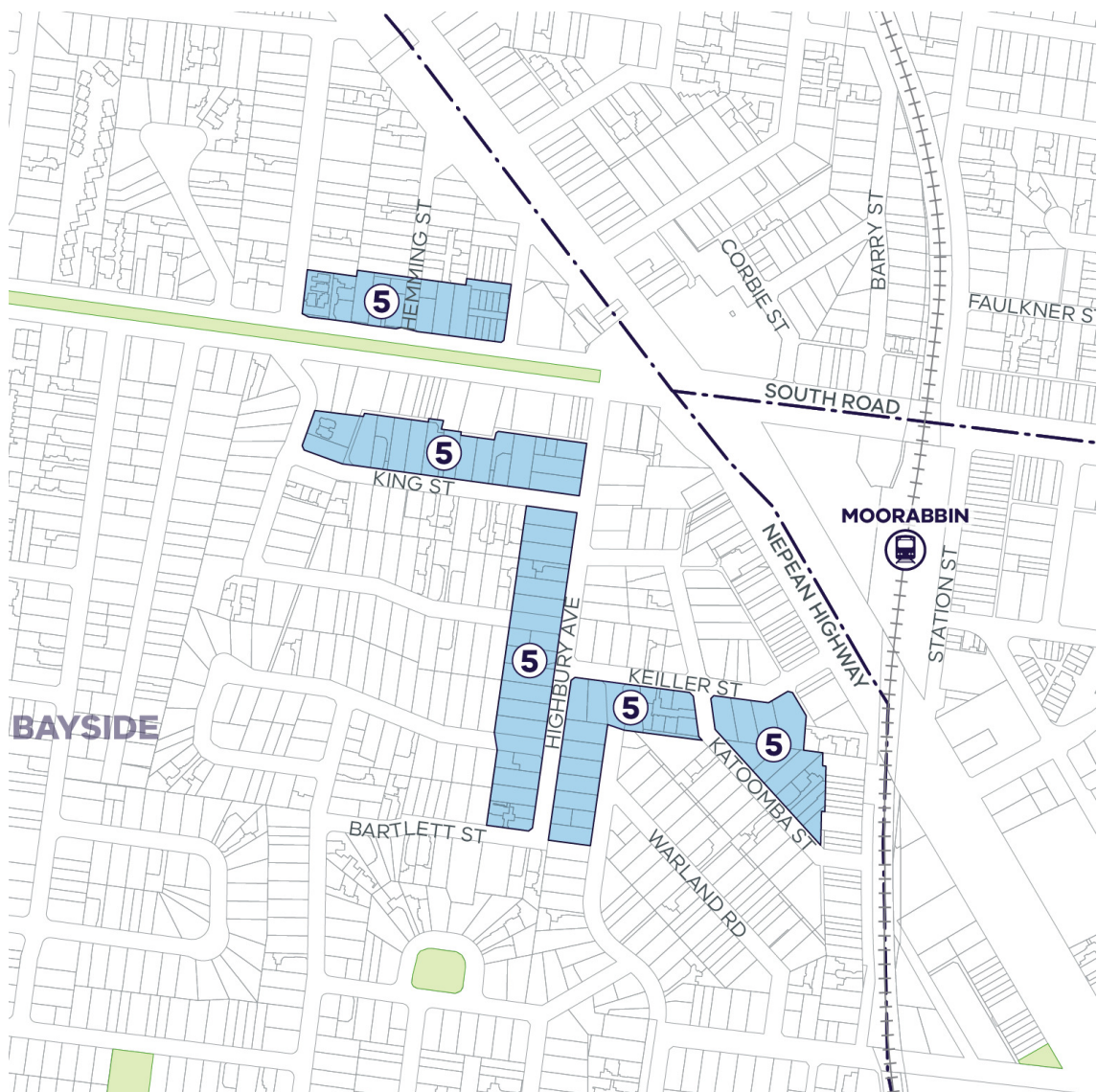
- Provide high quality apartment development with a mix of dwelling sizes.
- Provide housing with vehicle access from Barr Street.

5.4-3 Precinct guidelines

- Allow a limited range of non-residential uses, such as educational, recreational and child care facilities. These uses should not detract from the objectives of Precinct 1, 2 and 3 and should not adversely affect residential amenity.
- Development should provide its parking requirements on site through the use of basement parking, accessed via laneways.
- Residential development should be acoustically attenuated to minimise impacts from road noise.

5.5 Precinct 5 – Residential Consolidation Precinct

5.5-1 Precinct map



5.5-2 Precinct objectives

- To encourage an increase in residential densities through lot consolidation.
- Encourage a clearly defined key circulatory road which reinforces the landscaped main road streetscapes.

BAYSIDE PLANNING SCHEME

- Encourage the beautification of secondary residential streetscapes.
- Encourage consolidated residential development at a range of densities and typologies that respond to the site characteristics and context.

5.5-3

Precinct guidelines

- Allow commercial uses to occur at ground floor of the Council owned carpark on Keiller Street.
 - Allow health related uses that are compatible with residential areas to extend into Precinct 5. This must only occur where the land adjoins Precinct 2 and is located more than 30m from land (not including a road) located in a HCTZ.
 - Development should provide basement car parking where possible.
 - Development should provide its parking requirements on site through the use of basement parking, minimising impacts on residential properties in Precinct 6.
 - Land consolidation is encouraged to allow development to meet height controls.
 - Development at the intersection of South Road / Glennifer Avenue must not compromise the future installation of traffic signals at this intersection.
 - Development should maintain the openness of the streetscape through the provision of low, transparent front fencing.
-

5.6 Precinct 6 – Residential Transition Precinct

5.6-1 Precinct map



5.6-2 Precinct objectives

- Encourage residential infill with streetscape qualities.

5.6-3 Precinct guidelines

- A distinct tree canopy should be established through residential streetscapes.
- Development should maintain the openness of the streetscape through the provision of low, transparent front fencing.

6.0 Application requirements

11/04/2025
GC252

In addition to the application requirements set out at Clause 37.08-7, an application to use land or construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the Responsible Authority:

- An Integrated Transport Plan which provides:

BAYSIDE PLANNING SCHEME

- Where appropriate, how pedestrians and cyclists are accommodated in relation to access to the development and facilities on its periphery.
 - Existing and proposed public transport routes, stops and infrastructure (e.g. shelters, indented bays, signage, and pedestrian crossings) within the site and surrounds.
 - Recommended car parking and bicycle parking rates and the location and layout of on-site car parking and bicycle parking areas, with access to and from them.
 - How the development provides appropriate levels of manoeuvrability for emergency and service vehicles.
 - The likely traffic and pedestrian generation of the proposed development taking into account the surrounding land uses.
 - Results from micro-simulation modelling showing the likely traffic impacts of the proposed development on the broader road network.
 - Mitigation measures required to address any traffic impacts.
 - Road layouts, intersections treatments and site access.
 - Traffic management measures and assessment of impacts on existing signalised intersections.
 - Any ongoing obligations that owners corporations may need to monitor throughout the life of a development.
 - A Sustainability Management Plan which:
 - Demonstrates the application of Australian best practice rating tools and design principles; use of emerging technology; and a commitment to 'beyond compliance' throughout the construction period and subsequent operation of the development.
 - Identifies statutory obligations and documented sustainability performance standards from Government and other authorities.
 - The individual components of the Sustainability Management Plan must include:
 - Construction Materials.
 - Indoor Environment Quality.
 - Waste Management.
 - Quality of Public and Private Realm.
 - Transport.
 - Demolition and Construction.
 - An Integrated Water Management Plan in accordance with the requirements of Clause 22.08 or in accordance with any equivalent assessment requirements in the State Planning Policy Framework or other Victoria Planning Provisions.
 - A Waste Management Plan which demonstrates as appropriate:
 - Strategies for waste minimisation during the construction phase.
 - Likely waste generation by users of the building.
 - Provision and allocation of bins for garbage, recycling, green waste, etc.
 - The proposed method and frequency of waste collection.
 - Provision of signage to ensure that waste is disposed on correctly and that contamination is minimised.
 - For all applications over two storeys in height, a 3D massing model which shows:
-

- How the development design minimises potential overshadowing impacts and ensures maximum solar access to neighbouring properties and the public realm.
- The potential impact of the development on the public realm adjacent to the proposal ensuring that overshadowing of major pedestrian routes, parks and other public spaces is minimised.
- How the development achieves excellence in architectural and building design.

7.0

11/04/2025
GC252

Notice and review**Use of Land**

An application to use land within 30 metres of land (not a road) which is in Precinct 4, 5 or 6, in a residential zone, 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 is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Planning and Environment Act 1987 in accordance with Clause 37.08-8

Buildings and Works

An application to construct a building or construct or carry out works in Precinct 4, 5 or 6 or land that is within 30 metres of land (not a road) which is in Precinct 4, 5 or 6, 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 is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act in accordance with Clause 37.08-8.

Subdivision

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

8.0

11/04/2025
GC252

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 37.08-9 and Clause 65, the Responsible Authority must consider, as appropriate:

Use and Development

- Whether the development provides a range of housing types and sizes.
 - Whether the proposal achieves active uses and pedestrian generating activities at street level, particularly in Precincts 1-3, and contributes to a vibrant public realm.
 - Whether the development prevents or fragments the potential creation of community or public open space.
 - Whether the development improves the amenity of streets, laneways and public space to ensure a comfortable and human scale.
 - The extent to which the development prioritises walking, cycling and public transport use, and provides car parking that responds to anticipated demand, does not dominate the street frontage, and is functional and well-designed.
 - Whether the development provides a fine grain street frontage for commercial and mixed use buildings.
 - Whether the application maximises opportunities for on-site renewable energy generation, alternative energy and sharing of energy resources, as well as water capture and re-use.
-

BAYSIDE PLANNING SCHEME

- Whether the development ensures that all site services, roof plant and equipment is sufficiently screened or hidden from view.
- Whether the development provides or restricts the laneway connections between precincts.

Subdivision

- Whether the subdivision will fragment the potential for site consolidation and infill development opportunities.
- Whether the subdivision prevents the creation of continuous laneway connections.
- Whether there are ongoing obligations for owners corporations relating to sustainable transport use that may need to be registered on title by way of a Section 173 Agreement.

9.0

11/04/2025
GC252

Signs

Sign requirements are located at Clause 52.05.

- All land within precinct 3 is Category 3.
- All land within precinct 4, 5 and 6 is Category 4.

10.0

11/04/2025
GC252

Other provisions of the scheme

None specified.

11.0

11/04/2025
GC252

Reference documents

Hampton East (Moorabbin) Structure Plan (Bayside City Council, February 2016)

Moorabbin Activity Centre Plan (Victorian Planning Authority, 2025)

OVERLAYS

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

[NO CONTENT]

ENVIRONMENTAL AND LANDSCAPE OVERLAYS

42.0131/07/2018
VC148**ENVIRONMENTAL SIGNIFICANCE OVERLAY**

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

Purpose

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

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

42.01-131/07/2018
VC148**Environmental significance and objectives**

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

42.01-216/10/2025
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.
- 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: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02

BAYSIDE PLANNING SCHEME

Class of application	Provision
Subdivide land into two lots if:	Clause 59.02
▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	
Subdivide land into two lots if:	Clause 59.02
▪ 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. ▪ Each lot will contain either: – one existing dwelling; or – one dwelling permitted to be constructed in accordance with the permit.	
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided:	Clause 59.06
▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	
Construct a building or construct or carry out works for:	Clause 59.05
▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. The buildings and works must be associated with a dwelling or a small second dwelling.	

42.01-3

16/08/2024
VC262

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning;

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

	▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – section 87 of the <i>Fire Rescue Victoria Act 1958</i>; – section 65 of the <i>Forests Act 1958</i>; or – section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and mining	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>: ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.01-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.01-5

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
 - The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
 - The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
 - Any other matters specified in a schedule to this overlay.
-

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO1**.

BEAUMARIS BAY FOSSIL SITE**1.0**04/02/2021
C168bays**Statement of environmental significance**

The Beaumaris Bay Fossil Site comprises approximately 30 hectares of area enclosed by a line commencing at the intersection of Beach Road and Cliff Grove, then south westerly via the southern side of Beach Road to Sparks Street, then south easterly to a point offset 250 metres seawards via the alignment of Sparks Street, then north easterly to the intersection of the alignment of Cliff Grove and the LWM (approximately AMG point 28759368), then north westerly to the point of commencement.

The cliffs and underlying gravel beds of Beaumaris Bay contain one of the richest and most diverse fossil assemblages in Australia for both marine mammals and sharks. Beaumaris is the only Australian fossil record for the shark genus *Megascyliorhinus* and has also yielded many excellent fossils including remains of the oldest known Australian albatross, *Diomedea thyridata* as well as a variety of sharks' teeth and bones of diprotodontid marsupials, seals, whales and penguins. (Fossil records for southern hemisphere albatrosses are too sparse to allow reconstruction of the history of the group but fossils from Beaumaris and a site in Argentina indicate that southern ocean albatrosses existed from Miocene times onward.)

The Beaumaris Cliffs form the geological type locality for the Cheltenhamian Stage, a rock unit of the late Miocene epoch. Consequently, the cliffs are a reference site for comparison with all other Australian rock sequences of this age, and with Miocene type localities in Europe. The cliffs have also been a significant geological research site since the 1890's with many rock and fossil collections taken from the place and scientific papers published about it. Indigenous values of national estate significance may exist in this place. As yet, these values have not been identified, documented nor assessed.

The place encompasses the line of cliffs between Table Rock in the south-west and Cliff Grove in the north-east. The major rock outcrop is of the Late Miocene Black Rock Sandstone, dated at between 5 and 6 million years old according to the fossil marine invertebrate fauna. Most of the other exposures of this material occur near sea level, but in Beaumaris Bay, the sandstone has been elevated and the full 15 metre sequence is visible. Common fossils in this rock layer include molluscs, brachiopods, echinoderms, corals and crustaceans.

Below the Black Rock Sandstone is a thin gravelly bed that includes nodules of phosphate and iron. The nodule bed has yielded a range of vertebrate fossils including sharks' teeth, the bones of seals and whales, the penguins *Pseudaptenodytes macraei* and *P. minor* and the albatross *Diomedea thyridata*. The lower beds of the Black Rock Sandstone extend below sea level and also contain rich and diverse fossil deposits. Some of the best known fossils are the numerous and well preserved specimens of the echinoid *Lovenia forbesi*.

Overlying the Black Rock Sandstone is the Pliocene Red Bluff Sand consisting of non-marine clayey sands and gravels. This unit contains terrestrial marsupial fossils including jaw bones of the diprotodontid genus *Kolopsis* and the species *Zygomaturus gilli*. The Red Bluff Sands vary in thickness along the cliffs and are most extensive at Table Rock and near Cliff Grove. The cliffs are aligned parallel to the axis of a major tectonic structure known as the Beaumaris Monocline which has downthrown the sedimentary strata to the south-east. The cliffs are steep to vertical and undercut in several locations, with large blocks of fallen sandstone scattered along the shore. Narrow shore platforms front the cliffs, and resistant beds of Black Rock Sandstone occur as offshore reefs running parallel with the monocline. This section of the coast provides a very clear example of a monoclinal fold.

The place is generally in a good condition but some of the fossil beds have been covered by the buildings and car park of the Beaumaris Motor Yacht Squadron. The condition of the fossil beds is dependent on the rate of erosion and the amount of pedestrian traffic and fossicking that occurs.

The construction of seal walls and other structures has reduced erosion and decreased the amount of fossil material washed up on the shore. Particularly unstable sections of the cliffs have been closed off to restrict public access. Parts of the coastline are only accessible by boat while others can only be reached at low tide.

2.0

04/02/2021
C168bays

Environmental objective to be achieved

To minimise erosion.

To maintain public safety.

To minimise ‘fossicking’.

3.0

04/02/2021
C168bays

Permit requirement

A permit is not required:

- For the buildings and in the car park of the Beaumaris Motor Yacht Squadron.
- For the Keefers Boatshed buildings.
- In the Moysey Gardens.
- In the car park opposite Keys Street.

This is in accordance with the National Estate Register citation 2/17/047/0004.

4.0

04/02/2021
C168bays

Application requirements

None specified.

5.0

04/02/2021
C168bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The National significance of the site.
-

42.0231/07/2018
VC148**VEGETATION PROTECTION OVERLAY**

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

Purpose

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

To protect areas of significant vegetation.

To ensure that development minimises loss of vegetation.

To preserve existing trees and other vegetation.

To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

To maintain and enhance habitat and habitat corridors for indigenous fauna.

To encourage the regeneration of native vegetation.

42.02-131/07/2018
VC148**Vegetation significance and objectives**

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

42.02-228/10/2022
VC224**Permit requirement**

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Remove, destroy or lop one tree provided:	Clause 59.06
▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	

42.02-316/08/2024
VC262**Table of exemptions**

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped:

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

	▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – section 87 of the <i>Fire Rescue Victoria Act 1958</i>; – section 65 of the <i>Forests Act 1958</i>; or – section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management and directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i> :

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

	▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:

	- a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or - an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.02-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.02-5

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
 - Where ground slopes exceed 20 percent.
 - Within 30 metres of a waterway or wetland.
 - On land where the soil or subsoil may become unstable if cleared.
 - On land subject to or which may contribute to soil erosion, slippage or salinisation.
 - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
 - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.

BAYSIDE PLANNING SCHEME

- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.

04/02/2021
C168bays

SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO1**.

COASTAL AREAS

1.0

04/02/2021
C168bays

Statement of nature and significance of vegetation to be protected

The vegetation of Bayside's coastal reserves is significant for its diversity and environmental value in providing habitat areas of regional, state, national and worldwide significance.

The land is a continuous coastal strip running from the northern boundary of the municipality to its south eastern boundary along Port Phillip Bay.

The coastal areas include examples of the northernmost communities of tall shrubland and woodland, diverse alliances of low shrubland, and dune complexes characterised by the dominance of Coast Wattle and the absence of other shrubs.

The ability to maintain environmental systems and viable habitat areas depends on retaining existing vegetation and encouraging indigenous revegetation. Small areas of native vegetation contribute to the remaining habitat, providing movement corridors for animals and birds.

The vegetation is a valued attribute of Bayside's coastal landscapes and inland reserves.

2.0

04/02/2021
C168bays

Vegetation protection objectives to be achieved

To maintain the quality of the remaining fauna habitat in Bayside and to create additional habitat.

3.0

04/02/2021
C168bays

Permit requirement

A permit is required to remove, destroy or lop native vegetation.

4.0

04/02/2021
C168bays

Application requirements

The following application requirements apply to an application for a permit under Clause 42.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The extent of native vegetation to be removed, destroyed or lopped.
- Details of the impact of the proposed removal, destruction or lopping on soil stability.
- Details of proposed revegetation, including proposals for ground stabilisation, species to be planted and source of plants.

5.0

04/02/2021
C168bays

Decision guidelines

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:

- The effect of the proposed removal, destruction or lopping of native vegetation on the habitat value and long term viability of remnant bushland areas in the vicinity.
- The significance of the native vegetation area.
- The reason for the proposed removal, destruction or lopping of native vegetation and the practicality of alternate options which do not require removal, destruction or lopping of native vegetation.

Background documents

The Vegetation in Native Bushland Remnants within the City of Bayside, Victoria (Simon Cropper, Botanicus, 1996)

BAYSIDE PLANNING SCHEME

Bayside City Council - Fauna Survey and Management Guidelines (Chris Pavey, WBM Oceanics Australia, 1996)

Bayside Coastal Strategy (1997)

04/02/2021
C168bays

SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as **VPO2**.

BUSHLAND AREAS

1.0

04/02/2021
C168bays

Statement of nature and significance of vegetation to be protected

The vegetation of Bayside's remnant bushland reserves is significant for its diversity and environmental value in providing habitat areas of regional, state, national and worldwide significance.

The remnant bushland reserves are discontinuous, landlocked and surrounded by either residential or industrial development.

The bushland areas include examples of the northernmost communities of tall shrubland and woodland, diverse alliances of low shrubland, and dune complexes characterised by the dominance of Coast Wattle and the absence of other shrubs.

The ability to maintain environmental systems and viable habitat areas depends on retaining existing vegetation and encouraging indigenous revegetation. Small areas of native vegetation contribute to the remaining habitat, providing movement corridors for animals and birds.

The vegetation is a valued attribute of Bayside's inland reserves.

2.0

04/02/2021
C168bays

Vegetation protection objectives to be achieved

To maintain the quality of the remaining fauna habitat of Bayside and to create additional habitat.

3.0

04/02/2021
C168bays

Permit requirement

A permit is required to remove, destroy or lop native vegetation.

A permit is not required to remove, destroy or lop any native vegetation when the removal, destruction or lopping is undertaken by or on behalf of the public land manager in order to maintain or improve the area as a flora and fauna conservation site.

4.0

04/02/2021
C168bays

Application requirements

An application must include the following information:

- The extent of native vegetation to be removed, destroyed or lopped.
- Details of the impact of the proposed removal, destruction or lopping on soil stability.
- Details of proposed revegetation, including proposals for ground stabilisation, species to be planted and source of plants.

5.0

04/02/2021
C168bays

Decision guidelines

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:

- The effect of the proposed removal, destruction or lopping of native vegetation on the habitat value and long term viability of remnant bushland areas in the vicinity.
 - The significance of the native vegetation area.
 - The reason for the proposed removal, destruction or lopping of native vegetation and the practicality of alternate options which do not require removal, destruction or lopping of native vegetation.
-

BAYSIDE PLANNING SCHEME

Background documents

The Vegetation in Native Bushland Remnants within the City of Bayside, Victoria (Simon Cropper, Botanica, 1996)

Bayside City Council - Fauna Survey and Management Guidelines (Chris Pavey, WBM Oceanics Australia, 1996)

Bushland Strategy (2002 or as amended)

04/02/2021
C168bays**SCHEDULE 3 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY**

Shown on the planning scheme map as VPO3.

BEAUMARIS AND BLACK ROCK NATIVE VEGETATION AREAS**1.0**04/02/2021
C168bays**Statement of nature and significance of vegetation to be protected**

The Vegetation Character Assessment (March 2000) report identifies significant vegetation characteristics that form a major element of a distinctive urban character in the municipality, particularly in Beaumaris and Black Rock. Remnant indigenous vegetation, complemented by plantings of Australian native species, contribute to the visual amenity and interest of the area, particularly where this vegetation is contiguous between private lands and adjoining public lands. Indigenous species such as:

- *Acacia mearnsii* (Black Wattle)
- *Acacia paradoxa* (Hedge Wattle)
- *Acacia sophorae* (Coast Wattle)
- *Allocasuarina verticillata* (Drooping Casuarina)
- *Banksia integrifolia* (Coast Banksia)
- *Banksia marginata* (Silver Banksia)
- *Eucalyptus camaldulensis* (River Red Gum)
- *Eucalyptus ovata* (Swamp Gum)
- *Eucalyptus pryoriana* (Coast Manna Gum)
- *Eucalyptus radiata* (Narrow-leafed Peppermint)
- *Leptospermum laevigatum* (Coast Tea-tree)
- *Leptospermum myrsinoides* (Heath Tea-tree)

represent remnants of vegetation communities that were once widespread and are now largely lost. These species form a valuable link to and reminder of the historic vegetation of the area.

Australian native species, such as *Lophostemon confertus* (Brush Box), have been planted extensively as street trees. The use of Australian natives and canopy trees is a feature of many private gardens.

The Australian native, and particularly indigenous, vegetation provides fauna habitat and corridors, especially for native bird life.

The continued viability of the significant vegetation character and its habitat value is under threat from clearance associated with urban development and from loss of aging vegetation.

2.004/02/2021
C168bays**Vegetation protection objectives to be achieved**

To prevent the loss of native and particularly indigenous vegetation incurred by development.

To retain the amenity, aesthetic character and habitat value of Australian native vegetation and indigenous vegetation in particular within the Beaumaris and Black Rock area.

To promote the regeneration and replanting of indigenous species in the Beaumaris and Black Rock area.

3.004/02/2021
C168bays**Permit requirement**

A permit is required to remove, destroy or lop any vegetation native to Australia. This does not apply to:

BAYSIDE PLANNING SCHEME

- The removal, destruction or lopping of vegetation which is less than 2 metres high or has a single trunk circumference of less than 0.5 metre at a height of 1 metre above ground level.
- The pruning of vegetation to remove that part of any branch which overhangs an existing dwelling or is within 2 metres of an existing dwelling.

4.0

04/02/2021
C168bays

Application requirements

None specified.

5.0

04/02/2021
C168bays

Decision guidelines

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:

- The impact the proposed vegetation removal would have on:
 - The character of the area.
 - The presence of indigenous species in the locality.
 - The appearance of development.
 - The habitat quality of any remaining vegetation and the fragmentation of wildlife corridors.
- Any proposal to regenerate or plant indigenous vegetation on the site.

Background documents

Vegetation Character Assessment (John Patrick Pty Ltd, March 2000)

42.0331/07/2018
VC148**SIGNIFICANT LANDSCAPE OVERLAY**

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

Purpose

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

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

42.03-131/07/2018
VC148**Landscape character and objectives**

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

42.03-214/12/2023
VC253**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
 - If the table to Clause 42.03-3 specifically states that a permit is not required.
 - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided: ▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	Clause 59.06
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank.	Clause 59.05

BAYSIDE PLANNING SCHEME

Class of application	Information requirements and decision guidelines
The buildings and works must be associated with a dwelling.	
Construct a building or construct or carry out works for a small second dwelling.	Clause 59.05

42.03-3

16/08/2024
VC262

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or - where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: - fire fighting; - planned burning; - making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; - making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); - is ground fuel within 30 metres of a building and is vegetation other than native vegetation; - in accordance with a fire prevention notice issued under either: - section 87 of the <i>Fire Rescue Victoria Act 1958</i>; - section 65 of the <i>Forests Act 1958</i>; or - section 41 of the <i>Country Fire Authority Act 1958</i>. - keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; - minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:	
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>: ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i> . This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree.

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

	15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: - a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or - an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.03-4

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

42.03-5

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defensible space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

04/02/2021
C168bays

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

CORAL AVENUE AND POINT AVENUE, BEAUMARIS

1.0

04/02/2021
C168bays

Statement of nature and key elements of landscape

The high level of vegetation cover and bushland character of these two streets have influenced building style and form, as well as position on site and front boundary treatment. The distinct landscape characteristics of this area make it significant and unique within the local area. The landscape character contributes to the context and setting of the remnant indigenous bushland of heritage significance in the coastal reserve area in Beach Road, accessed via Coral Avenue and Point Avenue.

Buildings are generally of a contemporary style and are concealed amongst native vegetation, with little impact on the streetscape. Roadways remain unsealed, and verges are lined with bushy native vegetation. Streetscape vegetation has the appearance of flowing across the public and private domains due to the lack of front fences or presence of permeable front fences. Front and side setbacks are large, allowing bushy native vegetation and canopy trees to surround dwellings.

2.0

04/02/2021
C168bays

Landscape character objectives to be achieved

To retain the dominance of vegetation cover in keeping with the bush character environment.

To maintain and enhance the setting, context and heritage significance of the adjoining remnant indigenous bushland.

To ensure that buildings and works retain an inconspicuous profile and do not dominate the landscape.

To ensure building and impervious surface site coverage is minimised.

To ensure that a reasonable proportion of a lot is free of buildings to provide for the planting of canopy trees and substantial vegetation.

To encourage the planting of indigenous species.

To encourage the use of materials and finishes that blend with the landscape.

To encourage the use of vegetation as an alternative to front fencing, or where fencing is preferred, low to medium height open style front fences.

3.0

04/02/2021
C168bays

Permit requirement

A permit is required to remove, destroy or lop a tree. This does not apply to:

- Vegetation that is less than 2 metres high or has a single trunk circumference of less than 0.5 metre at a height of 1 metre above ground level.
- The pruning of vegetation to remove that part of any branch which overhangs an existing dwelling or is within 2 metres of an existing dwelling.
- A tree which is dead or dying to the satisfaction of the responsible authority.

A permit is not required to construct a building, or construct or carry out works provided all the following requirements are met:

- The total area covered by buildings does not exceed 40 per cent of the site area; and
 - The works, comprising hard surfaced and impervious areas (including tennis courts and swimming pools, but excluding buildings) are less than 15 per cent of the site area; and
 - The building is less than 8 metres in height; and
-

- The building is to be constructed in materials that are of a subdued colour and non-reflective; and
- The buildings and works will not diminish the dominance of the vegetation cover of the site; and
- The buildings and works are set back more than 4 metres from any vegetation that requires a permit to remove, destroy or lop.

A permit is not required to construct a fence provided the following requirements are met:

- The fence is less than 0.5 metres in height; or
- The fence is less than 1.2 metres in height and is constructed of visually permeable material.

4.0

04/02/2021
C168bays

Application requirements

None specified.

5.0

04/02/2021
C168bays

Decision guidelines

Before deciding on an application to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The landscape plan accompanying the application, which should detail existing vegetation, vegetation to be removed and proposed planting, including a planting schedule which has an emphasis on the use of native species.
- Whether the proposed buildings or works retain an inconspicuous profile and do not dominate the landscape. In particular, ensuring that buildings follow the contours of the site, avoid visually dominant elevations and are designed so as retain the visual dominance of the tree canopy and existing native vegetation cover.
- Whether the proposed buildings or works will retain the sense of space and openness of the streetscape.
- Whether the proposed building is adequately set back from the frontage, at least one side boundary and the rear boundary to accommodate existing and proposed vegetation, particularly large canopy trees.
- The impact of the proposed development on the conservation of trees.
- The impact of the proposed development on natural ground levels and drainage patterns which may have a detrimental impact on the health and viability of surrounding trees.
- The prevailing style and height of front fences in the street.

Before deciding on an application to remove, lop or destroy a tree, the responsible authority must consider, as appropriate:

- The species of vegetation, its age, health and growth characteristics.
 - The location of the vegetation on the land and its contribution to the site, neighbourhood and streetscape character.
 - Whether the tree is isolated or part of a grouping.
 - The potential to achieve an average density of one tree reaching a height of over 15 metres to each 200 square metres of site area.
 - The availability of sufficient unencumbered land to provide for replacement planting.
 - The impact of the tree on the structural integrity of existing buildings including foundations.
-

BAYSIDE PLANNING SCHEME

- Other options for further replanting on the site.
- Vegetation management requirements to reduce fire hazard, prevent erosion and maintain flood control measures.

Background documents

Bayside Neighbourhood Character Review Study - Stage 2 Final Report (Planisphere, July 2008, revised August 2011)

HERITAGE AND BUILT FORM OVERLAYS

43.0131/07/2018
VC148**HERITAGE OVERLAY**

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

Purpose

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

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

43.01-116/10/2025
VC288**Permit requirement**

A permit is required to:

- Subdivide land.
 - Demolish or remove a building.
 - Construct a building or construct or carry out works, including:
 - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
 - A solar energy system attached to a building that primarily services the land on which it is situated if the system is visible from a street (other than a lane) or public park and if the schedule to this overlay specifies the heritage place as one where solar energy system controls apply.
 - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
 - A fence, if the fence is visible from a street (other than a lane) or public park.
 - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
 - Buildings or works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria.
 - Street furniture other than:
 - Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.
 - Speed humps, pedestrian refuges and splitter islands.
 - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
 - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
-

BAYSIDE PLANNING SCHEME

- 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. ▪ Subdivide land into lots each containing an existing building or car parking space where: - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. ▪ Subdivide land into two lots if:	Clause 59.07

BAYSIDE PLANNING SCHEME

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. - The construction or carrying out of the approved building or works on the land has started lawfully. - The subdivision does not create a vacant lot. ▪ Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay. ▪ Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay. ▪ Externally alter a non-contributory building. ▪ External painting. ▪ Construct a fence. ▪ Construct a carport, garage, pergola, verandah, deck, shed or similar structure. ▪ Construct and install domestic services normal to a dwelling. ▪ Construct and install a non-domestic disabled access ramp. ▪ Construct a vehicle crossover. ▪ Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing. ▪ Construct a rainwater tank. ▪ Construct or display a sign. ▪ Lop a tree. ▪ Construct or install a solar energy system attached to a dwelling or small second dwelling. ▪ Construct and install an electric vehicle charging station. ▪ Construct and install services normal to a building other than a dwelling or small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.	
Subdivide land into two lots if:	Clause 59.07
▪ 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. ▪ Each lot will contain either: - one existing dwelling; or - one dwelling permitted to be constructed in accordance with the permit.	

43.01-2

21/11/2017
VC141

Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.

43.01-3

14/12/2023
VC253

No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.
- To construct a building or construct or carry out works for a small second dwelling if all the following requirements are met:
 - The building height must not exceed 5 metres.
 - The building must be finished using muted tones and colours.

43.01-4

14/01/2025
VC237

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
 - Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
 - External alteration of a building.
 - External painting.
 - Construction of a fence.
 - Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
 - Domestic services normal to a dwelling.
 - Carry out works, repairs and routine maintenance.
 - Internally alter a building.
 - Non-domestic disabled access ramp.
 - Construction of a vehicle crossover.
 - Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
-

- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling or a small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

43.01-5

24/01/2020
VC160

Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

43.01-6

31/07/2018
VC148

Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

43.01-7

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

43.01-8

24/01/2020
VC160

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
 - The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
 - Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
 - Any applicable heritage design guideline specified in the schedule to this overlay.
 - Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
 - Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
 - Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
-

- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.

43.01-9

31/07/2018
VC148

Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

43.01-10

31/07/2018
VC148

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*.

11/02/2021
C178bays

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0

18/06/2021
C180bays

Application requirements

The following application requirements apply to an application under Clause 43.01, in addition to those specified elsewhere in the planning scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written report that explains how the proposal addresses the provisions of the policies at Clause 15.03-1L and the justification for any variations from the policies.
- Plans and elevations (A3 size) including:
 - Fully scaled and dimensioned elevations and floor plans of existing conditions, the extent of any proposed demolition, and any alterations and additions or new buildings.
 - A fully scaled and dimensioned site plan showing the existing and proposed development including outbuildings, fences, significant vegetation, car parking, new cross overs, on-site parking space locations and any other noteworthy features.
 - A photo montage of the streetscape.
 - A streetscape elevation that shows the existing streetscape and how the proposal sits within it.
 - An axonometric elevation, where appropriate, that shows how the proposal sits within its immediate area, particularly from oblique views from neighbouring streetscapes where any part of the proposal will be visible.
 - Full details and samples of materials, finishes, and colours.
 - Details of any primary or secondary sources used to provide evidence of the earlier or original use, form or decoration of the heritage place.
 - Details of vistas that are to be retained to significant and contributory heritage buildings.
 - A landscape plan.

2.0

23/01/2026
C196bays

Heritage places

The requirements of this overlay apply to both the heritage place and its associated land.

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO1	48 Abbott Street, Sandringham – “Jesmond Dene”	No	no	no	Yes	no	no	no	no
HO2	50 Abbott Street, Sandringham – “Ellimatta”	No	no	no	Yes	no	no	no	no
HO3	52 Abbott Street, Sandringham – “Ardath”	No	no	no	Yes	no	no	no	no
HO4	54 Abbott Street, Sandringham – “Rarawai”	No	no	no	Yes	no	no	no	no
HO5	55 Abbott Street, Sandringham – “Elonera”	No	no	no	Yes	no	no	no	no
HO6	57 Abbott Street, Sandringham – “Onnroslyn, later Bynderwyn”	No	no	no	Yes	no	no	no	no
HO7	59 Abbott Street, Sandringham – “Hardanga”	No	no	no	Yes	no	no	no	no
HO8	70 Abbott Street, Sandringham – Former Managers Residence	No	no	no	Yes	no	no	no	no
HO9	20 Agnew Street, Brighton East – St Leonards	No	no	no	Yes	no	no	no	no
HO11	2 Allee Street, Brighton	No	no	no	Yes	no	no	no	no
HO12	6 Allee Street, Brighton – “Beltana”	No	no	no	Yes	no	no	no	no
HO13	8 Allee Street, Brighton – “Inverness”	No	no	no	Yes	no	no	no	no
HO15	4 Archer Court, Brighton East – “Cluden”	No	no	no	Yes	no	no	no	no
HO16	18 Asling Street, Brighton – “Higham Grange”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO17	37 Asling Street, Brighton – “Asling House”	No	no	no	Yes	no	no	no	no
HO18	38 Asling Street, Brighton - House	Yes	no	no	Yes	no	no	no	no
HO19	43 Asling Street, Brighton – “Woorach”	No	no	no	Yes	no	no	no	no
HO20	45 Asling Street, Brighton – “Tubberet”	No	no	no	Yes	no	no	no	no
HO21	48 Asling Street, Brighton – “Pendennis”	No	no	no	Yes	no	no	no	no
HO22	7 Bagley Street, Brighton – “Parana”	No	no	no	Yes	no	no	no	no
HO23	23 Bamfield Street, Sandringham - Residence	No	no	no	Yes	no	no	no	no
HO24	29 Bamfield Street, Sandringham – “Kerami”	No	no	no	Yes	no	no	no	no
HO25	36 Bamfield Street, Sandringham – “Tallandoon”	No	no	no	Yes	no	no	no	no
HO26	15-19 Barnett Street, Hampton – “Hazlewood”	No	no	no	Yes	no	no	no	no
HO27	33 Bay Road, Sandringham - Former Kelyack, now St Leigh Hospital	No	no	no	Yes	no	no	no	no
HO28	57 Bay Road, Sandringham – “Cleavemont”	No	no	no	Yes	no	no	no	no
HO29	63 Bay Road, Sandringham – “Waverley”	No	no	no	Yes	no	no	no	no
HO30	6 Bay Street, Brighton	No	no	no	Yes	no	no	no	no
HO31	19 Bay Street, Brighton – “Bangalore”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO32	40 Bay Street, Brighton – “Benarty”	No	no	no	Yes	no	no	no	no
HO33	42 Bay Street, Brighton	No	no	no	Yes	no	no	no	no
HO34	47 Bay Street, Brighton	No	no	no	Yes	no	no	no	no
HO35	49 Bay Street, Brighton – “Nyora”	No	no	no	Yes	no	no	no	no
HO36	52 Bay Street, Brighton – “Eloc”	No	no	no	Yes	no	no	no	no
HO37	54 Bay Street, Brighton – “Kantara”	No	no	no	Yes	no	no	no	no
HO38	70 Bay Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO39	101-103 Bay Street, Brighton	No	no	no	Yes	no	no	no	no
HO40	104 Bay Street, Brighton – Former library	Yes	no	no	Yes	no	no	no	no
HO41	162-164 Bay Street, Brighton – Burgess House	No	no	no	Yes	no	no	no	no
HO42	198-204 Bay Street, Brighton	No	no	no	Yes	no	no	no	no
HO43+	279 Bay Street, Brighton – Former bank	Yes	no	no	Yes	no	no	no	no
HO44+	281-287 Bay Street, Brighton – Former Simmonds Building	No	no	no	Yes	no	no	no	no
HO45+	282-284 Bay Street, Brighton – Former bank	Yes	no	no	Yes	no	no	no	no
HO46+	302 Bay Street, Brighton – Commonwealth Bank	No	no	no	Yes	no	no	no	no
HO47+	299-305 Bay Street, Brighton	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO48+	325-329 Bay Street, Brighton – Shops and Residence	No	no	no	Yes	no	no	no	no
HO49	388 Bay Street, Brighton – “Salford”	No	no	no	Yes	no	no	no	no
HO51	400 Bay Street, Brighton – “Bentleigh”	Yes	no	no	Yes	no	no	no	no
HO52+	403-405 Bay Street, Brighton – Shops with Residences above	No	no	no	Yes	no	no	no	no
HO53+	407 Bay Street, Brighton – Shops and Residences	No	no	no	Yes	no	no	no	no
HO54+	423-427 Bay Street, Brighton – Shops with Residences above	No	no	no	Yes	no	no	no	no
HO55	441 Bay Street, Brighton	No	no	no	Yes	no	no	no	no
HO56	451 Bay Street, Brighton – “Irwell”	No	no	no	Yes	no	no	no	no
HO58	Bay Street, Nth Brighton - Railway Station	Yes	no	no	Yes	no	no	no	no
HO59	Bay Street, Nth Brighton - Nth Brighton Railway Station (Downside)	No	no	no	Yes	no	no	no	no
HO60	Beach Road, Sandringham - Rotunda	No	no	no	Yes	no	no	no	no
HO61	15 Beach Road, Hampton – “Edgecliff”	No	no	no	Yes	no	no	no	no
HO62	56 Beach Road, Sandringham – Hampton Hotel	No	no	no	Yes	no	no	no	no
HO63	66 Beach Road, Sandringham – Former Hampton Tea Gardens, later Lido Cafe	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO64	92 Beach Road, Sandringham – “Coggleshall” (Sandringham Club)	No	no	no	Yes	no	no	no	no
HO65	130 Beach Road, Sandringham - “Rosherville”	No	no	no	Yes	no	no	no	no
HO66	472 Beach Road, Beaumaris – Former Great Southern Hotel	No	no	no	Yes	no	no	no	no
HO67	1 Berkeley Grove, Brighton East – “Woolsery”	No	no	no	Yes	no	no	no	no
HO68	3 Berwick Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO69	1 Black Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO70	6 Black Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO71	8 Black Street, Brighton – “Elwin”	No	no	no	Yes	no	no	no	no
HO72	10 Black Street, Brighton – “Bramber”	No	no	no	Yes	no	no	no	no
HO73	13 Black Street, Brighton – “Gisland”	No	no	no	Yes	no	no	no	no
HO74	14 Black Street, Brighton – “Cragie Lea”	No	no	no	Yes	no	no	no	no
HO75	17 Black Street, Brighton - Former Congregational Church	-	-	-	-	-	yes Ref No H724	yes	no
HO76	18 Black Street, Brighton – “Buccleugh”	No	no	no	Yes	no	no	no	no
HO77	37 Black Street, Brighton - “Wyuna”	Yes	no	yes	Yes	no	no	no	no
HO78	38 Black Street, Brighton - “Spurling House”	-	-	-	-	-	yes Ref No H126	yes	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO80	4 Bonleigh Avenue, Brighton - "Bonleigh"	No	no	no	Yes	no	no	no	no
HO81	5 Presentation Street, Brighton – Star of the Sea, Catholic College	No	no	no	Yes	no	no	no	no
HO82	31-33 Bridge Street, Hampton – "Dunottar"	No	no	no	Yes	no	no	no	no
HO83	15 Boxshall Street, Brighton - Former Brighton Municipal Offices	-	-	-	-	-	yes Ref No H1292	yes	no
HO84	20 Byron Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO85	9 Campbell Street, Sandringham – "Culver"	No	no	no	Yes	no	no	no	no
HO86	12 Carew Street, Sandringham – Bristol House	No	no	no	Yes	no	no	no	no
HO87	9 Carpenter Street, Brighton – "Addieville"	No	no	no	Yes	no	no	no	no
HO88	58 Carpenter Street, Brighton – "Itasca", later "Craigmillar"	No	no	no	Yes	no	no	no	no
HO89	62 Carpenter Street, Brighton – "Morningside"	No	no	no	Yes	no	no	no	no
HO90	88-94 Centre Road, Brighton East – "St Finbar's Church"	Yes	no	no	Yes	no	no	no	no
HO91	83 Centre Road, East Brighton – House	Yes	no	no	Yes	no	no	no	no
HO92	73 Champion Street, Brighton – "Mount Pleasant"	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO93	16, 16A Chatsworth Avenue, Brighton – “Former Stroma”	No	no	no	Yes	no	no	no	no
HO94	15, 15A Chelsea Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO97	71 Church Street, Brighton – Brighton PO and Automatic Exchange	No	no	no	Yes	no	no	no	no
HO98	76-90 Church Street, Brighton – Former Munro’s Buildings	Yes	no	no	Yes	no	no	no	no
HO99	135-147 Church Street, Brighton – Roses Buildings	No	no	no	Yes	no	no	no	no
HO100	161 Church Street, Brighton – “Hartsyde” later Marama”	No	no	no	Yes	no	no	no	no
HO101	165 Church Street, Brighton – “Andover”	No	no	no	Yes	no	no	no	no
HO102	166-168 Church Street, Brighton – “Narbethong” and “Marathon”	No	no	no	Yes	no	no	no	no
HO103	167 Church Street, Brighton – “Wilton” later “Calabria”	No	no	no	Yes	no	no	no	no
HO104	186 Church Street, Brighton – “Goombah”	Yes	no	no	Yes	no	no	no	no
HO105	192 Church Street, Brighton – “Aldgour”	No	no	no	Yes	no	no	no	no
HO106	206 Church Street, Brighton – Residence	No	no	no	Yes	no	no	no	no
HO107	Church Street, Brighton - Middle Brighton Railway Station Complex	-	-	-	-	-	yes Ref No H1561	yes	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO108	1 Clive Street, Brighton East – “Otley”	No	no	no	Yes	no	no	no	no
HO109	25-27 Cochrane Street, Brighton – “Surbiton” and “Lilydale”	No	no	no	Yes	no	no	no	no
HO110	48 Cochrane Street, Brighton – “Engadine”	No	no	no	Yes	no	no	no	no
HO111	50 Cochrane Street, Brighton – “Bulow”	No	no	no	Yes	no	no	no	no
HO112	58 Cochrane Street, Brighton – “Melwyn, Ashleigh Lodge”	No	no	no	Yes	no	no	no	no
HO113	115 Cochrane Street, Brighton – “Hartley”	No	no	no	Yes	no	no	no	no
HO114	144 Cochrane Street, Brighton – “Umfra”	No	no	no	Yes	no	no	no	no
HO115	85 Cole street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO116	1 Cowper Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO117	3 Cowper Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO118	19 Cowper Street, Brighton – “Quambi”	No	no	no	Yes	no	no	no	no
HO119	21 Cowper street, Brighton – “Ivanhoe”	No	no	no	Yes	no	no	no	no
HO120	27 Cowper Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO121	100 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO122	101 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO123	102 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO124	103 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO125	104 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO126	105 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO127	106 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO128	107 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO129	108 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO130	110 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO131	111 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO132	112 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO133	113 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO134	114 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO135	115 Beach Road, Sandringham (The Crescent)	Yes	no	no	Yes	yes	no	no	no
HO136	The Crescent Gardens, The Crescent, Sandringham	No	no	yes	Yes	no	no	no	no
HO138	12-14 Dawson Avenue, Brighton - Residences	No	no	no	Yes	no	no	no	no
HO139	11 Dendy Street, Brighton – “Rosherville”	No	no	no	Yes	no	no	no	no
HO140	15 Dendy Street, Brighton – Former “Heidelberg” now “Conway”	No	no	no	Yes	no	no	no	no
HO141	17 Dendy Street, Brighton – “Havering”	No	no	no	Yes	no	no	no	no
HO142	28 Dendy Street, Brighton – “Rosemount” later “Rosecourt”	No	no	no	Yes	no	no	no	no
HO143	Esplanade, Brighton - The Brighton Bathing Boxes and Dendy Street Beach The heritage place includes Part Seawall, Foreshore Brighton (refer HO491)	-	-	-	-	-	yes Ref No H2369	yes	no
HO144	31 Drake Street, Brighton – “Florence Ville”	No	no	no	Yes	no	no	no	no
HO145	34 Drake Street, Brighton – “Charlton”	No	no	no	Yes	no	no	no	no
HO146	17 Dudley Street, Brighton – St Margarets	No	no	no	Yes	no	no	no	no
HO147	Durrant Street, Brighton - Railway bridge	Yes	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO148	30-36 Ebden Avenue, Black Rock – “Black Rock House”	-	-	-	-	-	yes Ref No H216	yes	no
HO150	3 Elm Grove, Brighton	No	no	no	Yes	no	no	no	no
HO151	5 Elm Grove, Brighton	No	no	no	Yes	no	no	no	no
HO152	7 Elm Grove, Brighton	No	no	no	Yes	no	no	no	no
HO155	23 Elm Grove, Brighton	No	no	no	Yes	no	no	no	no
HO156	28 Elwood Street, Brighton – “Corra Lynn”	No	no	no	Yes	no	no	no	no
HO157	4-6 The Esplanade, Brighton – Former Royal Terminus Hotel, now Milano’s Brighton Beach Hotel	No	no	no	Yes	no	no	no	no
HO158	72 The Esplanade, Brighton	No	no	no	Yes	no	no	no	no
HO159	88-89 The Esplanade, Brighton – “Dunvegan”	No	no	no	Yes	no	no	no	no
HO160	160 The Esplanade, Brighton – “Tatloch”	No	no	no	Yes	no	no	no	no
HO161	251 The Esplanade, Brighton – Former Brighton Corporation Baths	No	no	no	Yes	no	no	no	no
HO162	The Esplanade, Brighton – Tramway tunnel	Yes	no	no	Yes	no	no	no	no
HO163	The Esplanade, Brighton – Brighton Beach Gardens	Yes	no	no	Yes	no	no	no	no
HO164	The Esplanade, Brighton – War Memorial	Yes	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO165	The Esplanade (opposite Norwood Avenue), Brighton – Tramway shelter	Yes	no	no	Yes	no	no	no	no
HO166	The Esplanade (opposite Dendy Street), Brighton – Tramway shelter	Yes	no	no	Yes	no	no	no	no
HO167	6 Farleigh Grove, Brighton – “Farleigh”	No	no	no	Yes	no	no	no	no
HO168	3 Fernhill Road, Sandringham – “Almondsbury”	No	no	no	Yes	no	no	no	no
HO169	5 Fernhill Road, Sandringham – “Dulwich”	No	no	no	Yes	no	no	no	no
HO170	7 Fernhill Road, Sandringham – “Omrah”	No	no	no	Yes	no	no	no	no
HO171	28 Fernhill Road, Sandringham – “Cascaes”	No	no	no	Yes	no	no	no	no
HO172	31 Fernhill Road, Sandringham – “Bellview”	No	no	no	Yes	no	no	no	no
HO173	17 Georgiana Street, Sandringham – “Jesmond”	No	no	no	Yes	no	no	no	no
HO174	24 Georgiana Street, Sandringham – “Warringah”	No	no	no	Yes	no	no	no	no
HO175	28 Georgiana Street, Sandringham – “Newington”	No	no	no	Yes	no	no	no	no
HO176	11 Gillies Street, Hampton – “Balcomb”	No	no	no	Yes	no	no	no	no
HO177	13 Glyndon Street, Brighton – “Moofred”	No	no	no	Yes	no	no	no	no
HO178	6 Grant Street, Brighton East	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO179	7 Grosvenor Street, Brighton – “Struan”	No	no	no	Yes	no	no	no	no
HO180	9 Grosvenor Street, Brighton – Former “Glen Fruin, Thorseby” currently “Chescombe”	No	no	no	Yes	no	no	no	no
HO181	21 Grosvenor Street, Brighton – “Beluba”	No	no	no	Yes	no	no	no	no
HO182	24 Grosvenor Street, Brighton	No	no	no	Yes	no	no	no	no
HO183	26 Grosvenor Street, Brighton – “Drumdavan” formerly “Drumdove	No	no	no	Yes	no	no	no	no
HO184	28 Grosvenor Street, Brighton – “Yeovil”	No	no	no	Yes	no	no	no	no
HO185	13 Gordon Street, Hampton – “Luap”	No	no	no	Yes	no	no	no	no
HO186	Half Moon Bay, Black Rock - HMVS Cerberus	-	-	-	-	-	yes Ref No S117	no	no
HO187	22-24 Halifax Street, Brighton – “Baeupre” and “Laurista”	No	no	no	Yes	no	no	no	no
HO188	26 Halifax Street, Brighton - “Billilla”	-	-	-	-	-	yes Ref No H1155	yes	no
HO189	57 Halifax Street, Brighton – “Grutle”	No	no	no	Yes	no	no	no	no
HO190	60 Halifax Street, Brighton – “Carolside”	No	no	no	Yes	no	no	no	no
HO191	70 Halifax Street, Brighton – “Tanderagee” - Residence and garden	Yes	no	yes	Yes	no	no	no	no
HO192	Cnr Hampton & Halifax Street, Brighton – Horse Trough	Yes	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO193	4 Hamilton Street, Brighton	No	no	no	Yes	no	no	no	no
HO194	17 Hamilton Street, Brighton	No	no	no	Yes	no	no	no	no
HO195	19 Hamilton Street, Brighton	No	no	no	Yes	no	no	no	no
HO196	21 Hamilton Street, Brighton	No	no	no	Yes	no	no	no	no
HO197	23 Hamilton Street, Brighton	No	no	no	Yes	no	no	no	no
HO198	845 Hampton Street, Brighton – “Ingleside”	No	no	no	Yes	no	no	no	no
HO199	896 Hampton Street, Brighton – “Omah”	No	no	no	Yes	no	no	no	no
HO200	907 Hampton Street, Brighton – “South Leigh”	No	no	no	Yes	no	no	no	no
HO201	66 Hanby Street, Brighton – “Jesmond”	No	no	no	Yes	no	no	no	no
HO203	709-723 Hawthorn Road, Brighton East (part) (also known as 1 Beddoe Avenue) Brighton East – “St John’s the Less Anglican Church and Schoolroom”	-	-	-	-	-	yes Ref No H1970	yes	no
HO204	123-127 and 131-137 Head Street, Brighton	No	no	no	Yes	no	no	no	no
HO205	29 Healthfield Road, East Brighton – “Hiawatha”	Yes	no	no	Yes	no	no	no	no
HO206	12 Hillcrest Avenue, Brighton	No	no	no	Yes	no	no	no	no
HO207	2 Huntingfield Road, Brighton	No	no	no	Yes	no	no	no	no
HO208	7 Inner Crescent, Brighton	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

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HO209	7 Keith Court, Brighton – Park House	No	no	no	Yes	no	no	no	no
HO210	7 Lawrence Street, Brighton – “Corn Hill”	No	no	no	Yes	no	no	no	no
HO211	5 Leslie Grove, Brighton – “Blair Athol”	Yes	no	no	Yes	no	no	no	no
HO212	6 Linacre Road, Hampton – “Myora”	No	no	no	Yes	no	no	no	no
HO213	13 Linacre Road, Hampton – “Le Grange”	No	no	no	Yes	no	no	no	no
HO214	15 Linacre Road, Hampton – “Sunne Brae”	No	no	no	Yes	no	no	no	no
HO215	17-19 Linacre Road, Hampton – “Panitya” later “Cowl Cowl” - Residence and garden	No	no	yes	Yes	no	no	no	no
HO216	12-16 Linacre Road, Hampton – “Emohruo”	No	no	no	Yes	no	no	no	no
HO217	25 Linacre Road, Hampton – “Pontac”	No	no	no	Yes	no	no	no	no
HO218	55 Male Street, Brighton – “Leichtenberg” later “Kardinia House”	No	no	no	Yes	no	no	no	no
HO220	87 Male Street, Brighton	No	no	no	Yes	no	no	no	no
HO221	108 & 110 Male Street, Brighton – Former Primitive Methodist Church	No	no	no	Yes	no	no	no	no
HO222	2 Manor Street, Brighton – “Shirley”	No	no	no	Yes	no	no	no	no
HO223	6 Manor Street, Brighton – “Bristol”	No	no	no	Yes	no	no	no	no
HO224	23 Marriage Road, Brighton East – “Wangararu”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

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HO225	22 Martin Street, Brighton – “Warrawee”	No	no	no	Yes	no	no	no	no
HO226	1/91 Martin Street, Brighton	No	no	no	Yes	no	no	no	no
HO228+	139 Martin Street, Brighton – State Savings Bank	No	no	no	Yes	no	no	no	no
HO229	Gardenvale Railway Station, Martin Street, Gardenvale	Yes	no	no	Yes	no	no	no	no
HO230	Martin Street, Gardenvale – Railway bridge	Yes	no	no	Yes	no	no	no	no
HO231	1-7 Mavis Avenue, E Brighton - “Landcox”	Yes	no	no	Yes	no	no	no	no
HO232	13 Mayrose Crescent, Brighton East	No	no	no	Yes	no	no	no	no
HO233	15 Melrose Street, Sandringham – Shop and House	No	no	no	Yes	no	no	no	no
HO234	19-21 Melrose Street, Sandringham – The Hobson Stores	No	no	no	Yes	no	no	no	no
HO235	29-31 Melrose Street, Sandringham – Shops and House	No	no	no	Yes	no	no	no	no
HO236	37 Melrose street, Sandringham – Former Commonwealth Bank	No	no	no	Yes	no	no	no	no
HO237	8 Menzies Avenue, Brighton – “Gaba Tepe”	No	no	no	Yes	no	no	no	no
HO238	10 Menzies Avenue, Brighton – “Marimo”	No	no	no	Yes	no	no	no	no
HO239	14 Menzies Avenue, Brighton – “Ashford”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO240	10 Middle Crescent, Brighton - "The Pines"	-	-	-	-	-	yes Ref No H2364	no	no
HO241	12 Middle Crescent, Brighton – "Seagrove" - residence and garden	No	no	yes	Yes	no	no	no	no
HO242	32 Middle Crescent, Brighton - "Melville"	Yes	no	no	Yes	no	no	no	no
HO243	36 Middle Crescent, Brighton – "Totnes"	No	no	no	Yes	no	no	no	no
HO244	41 Middle Crescent, Brighton – "Narbethong"	No	no	no	Yes	no	no	no	no
HO245	43 Middle Crescent, Brighton – "Cathkin"	No	no	no	Yes	no	no	no	no
HO246	50 Middle Crescent, Brighton	No	no	no	Yes	no	no	no	no
HO247	7 Milroy Street, Brighton East – "Linn Mill"	No	no	no	Yes	no	no	no	no
HO248	61 Milroy Street, Brighton East – "Roslyn"	No	no	no	Yes	no	no	no	no
HO249	63 Milroy Street, Brighton East – "Heim Ruke"	No	no	no	Yes	no	no	no	no
HO250	11 Montclair Avenue, Brighton – "Bendurk" later "Dulcabeena"	No	no	no	Yes	no	no	no	no
HO251	18 Montclair Avenue, Brighton – "Bendurb"	No	no	no	Yes	no	no	no	no
HO252	3 Moule Avenue, Brighton - "Narellan"	Yes	no	no	Yes	no	no	no	no
HO253	3 Murphy Street, Brighton - Former Elsterwick Hall	Yes	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

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HO254	11 Murphy Street, Brighton – “Elrona”	No	no	no	Yes	no	no	no	no
HO255	33 Murphy Street, Brighton – “Melba”	No	no	no	Yes	no	no	no	no
HO256	44 Murphy Street, Brighton – Elsternwick Primary School No.2870	No	no	no	Yes	no	no	no	no
HO257	Cnr Nepean Highway & Bay Street, Brighton - Sir Thomas Bent Statue (& Mrs Bent Memorial Fountain)	-	-	-	-	-	yes Ref No H2023	no	no
HO258	9 New Street, Brighton – “Wimmera”	No	no	no	Yes	no	no	no	no
HO259	38 New Street, Brighton – “Sherwood”	No	no	no	Yes	no	no	no	no
HO260	42 New Street, Brighton – “Glynn”	No	no	no	Yes	no	no	no	no
HO261	60 New Street, Brighton – “Keyham”	No	no	no	Yes	no	no	no	no
HO262	82 New Street, Brighton – “Milverton”	No	no	no	Yes	no	no	no	no
HO263	108 New Street, Brighton – “Holyrood”	No	no	no	Yes	no	no	no	no
HO264	127 New Street, Brighton – “Capri”	No	no	no	Yes	no	no	no	no
HO265	139 New Street, Brighton – “Rolvenden”	No	no	no	Yes	no	no	no	no
HO266	143 New Street, Brighton – “Hesse, Aldersyde”	No	no	no	Yes	no	no	no	no
HO267	144 New Street, Brighton – “Glenluce”	No	no	no	Yes	no	no	no	no
HO268	153 New Street, Brighton – “Mrtyle Bank”	No	no	no	Yes	no	no	no	no
HO269	161 New Street, Brighton – “Casa Viejo”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

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HO270	207 New Street, Brighton – Marine Hotel	No	no	no	Yes	no	no	no	no
HO271	284 New Street, Brighton – “Pendennis”	No	no	no	Yes	no	no	no	no
HO272	285 New Street, Brighton	No	no	no	Yes	no	no	no	no
HO273	292 New Street, Brighton - “Lansdowne” - residence and trees - Morton Bay, Lillypilly and Pine	Yes	no	yes	Yes	no	no	no	no
HO274	299 New Street, Brighton - “Finchal”	Yes	no	no	Yes	no	no	no	no
HO275	356 New Street, Brighton – “Westella”	No	no	no	Yes	no	no	no	no
HO276	358 New Street, Brighton – “Murrindindi, Huia”	No	no	no	Yes	no	no	no	no
HO277	368 New Street, Brighton - “Ibwiri”- residence and hedge - Bhutan Cypress	Yes	no	yes	Yes	no	no	no	no
HO278	389 New Street, Brighton – “Corowa”	No	no	no	Yes	no	no	no	no
HO279	391 New Street, Brighton – “Clarence Gate”	No	no	no	Yes	no	no	no	no
HO280	69 North Road, Brighton - Former Presbyterian Church	Yes	no	no	Yes	no	no	no	no
HO282	453 New Street, Brighton – “Greenfields, Tullavin”. The heritage place includes the house and stables.	No	no	no	Yes	no	no	no	no
HO283	4-6 Normanby Street, Brighton – “Esperance and Normanby”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

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HO284	5 Normanby Street, Brighton – “Lilliebourne”	No	no	no	Yes	no	no	no	no
HO285	7 Normanby Street, Brighton – “Clutha”	No	no	no	Yes	no	no	no	no
HO286	9 Normanby Street, Brighton – “Ripley”	No	no	no	Yes	no	no	no	no
HO287	11 Normanby Street, Brighton – “Narong”	No	no	no	Yes	no	no	no	no
HO288	12 Normanby Street, Brighton – “Wanaaring”	No	no	no	Yes	no	no	no	no
HO289	13 Normanby Street, Brighton – “Ventnor”	No	no	no	Yes	no	no	no	no
HO290	15 Normanby Street, Brighton – “Bulow”	No	no	no	Yes	no	no	no	no
HO291	16 Normanby Street, Brighton – “Witton”	No	no	no	Yes	no	no	no	no
HO292	17 Normanby Street, Brighton – “Thoresby” former “Chelmsford”	No	no	no	Yes	no	no	no	no
HO293	19 Normanby Street, Brighton – “Corowa”	No	no	no	Yes	no	no	no	no
HO294	20 Normanby Street, Brighton – St Helens	No	no	no	Yes	no	no	no	no
HO295	21 Normanby Street, Brighton – “Wychwood” former “Bridgeford”	No	no	no	Yes	no	no	no	no
HO296	22 Normanby Street, Brighton	No	no	no	Yes	no	no	no	no
HO297	23 Normanby Street, Brighton – “Boscombe”	No	no	no	Yes	no	no	no	no
HO298	24 Normanby Street, Brighton – “Burn Brae” former “Tonga”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

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HO299	27 Normanby Street, Brighton – “Oomoobah”	No	no	no	Yes	no	no	no	no
HO300	28 Normanby Street, Brighton – “Glenarooa”	No	no	no	Yes	no	no	no	no
HO301	33 Normanby Street, Brighton – “Haroogate” former “Annandale”	No	no	no	Yes	no	no	no	no
HO302	39 Normanby Street, Brighton – “Dalton” former “Milnthorpe”	No	no	no	Yes	no	no	no	no
HO303	40 Normanby Street, Brighton	No	no	no	Yes	no	no	no	no
HO305	54 North Road, Brighton – “Windarra”	No	no	no	Yes	no	no	no	no
HO306	71 North Road, Brighton – John Know House, former Presbyterian Church Manse	No	no	no	Yes	no	no	no	no
HO307	74-104 North Road, Brighton - “Kamesburgh”	-	-	-	-	-	yes Ref No H1186	yes	no
HO308	106 North Road, Brighton – “Ashburham” former Rosbercon College	No	no	no	Yes	no	no	no	no
HO309	108 North Road, Brighton - Robinson House	No	no	no	Yes	no	no	no	no
HO310	111 North Road, Brighton – St Stephens Vicarage	No	no	no	Yes	no	no	no	no
HO311	139 North Road, Brighton - “Eling”	Yes	no	no	Yes	no	no	no	no

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HO312	230 North Road, Brighton – “Clonaig” - residence and tree - Captain Cook pine	No	no	yes	Yes	no	no	no	no
HO313	North Road, Brighton - Railway bridge	Yes	no	no	Yes	no	no	no	no
HO314	9 Norwood Avenue, Brighton	No	no	no	Yes	no	no	no	no
HO315	46 Orchard Street, Brighton	No	no	no	Yes	no	no	no	no
HO316	31 Outer Crescent, Brighton – “Firbank”	No	no	no	Yes	no	no	no	no
HO317	72 Outer Crescent, Brighton	No	no	no	Yes	no	no	no	no
HO318	74 Outer Crescent, Brighton	No	no	no	Yes	no	no	no	no
HO319	79 Outer Crescent, Brighton – “Concord”	No	no	no	Yes	no	no	no	no
HO320	81 Outer Crescent, Brighton – “Linton”	No	no	no	Yes	no	no	no	no
HO321	83 Outer Crescent, Brighton – “Delville”	No	no	no	Yes	no	no	no	no
HO322	85 Outer Crescent, Brighton – “Lumeah” former “Ballarat”	No	no	no	Yes	no	no	no	no
HO323	90 Outer Crescent, Brighton – Brighton Grammar School	No	no	no	Yes	no	no	no	no
HO324	22 Park Street, Brighton – “Pavillion”	No	no	no	Yes	no	no	no	no
HO325	32 Park Street, Brighton – “Esmerelda”	No	no	no	Yes	no	no	no	no
HO326	8 Parliament Street, Brighton	No	no	no	Yes	no	No	no	no
HO327	73 North Road, Brighton -St James Church and Presbytery	-	-	-	-	-	yes Ref No H748	yes	no

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HO328	Sandringham Railway Station, Sandringham – Former tram depot	No	no	no	Yes	no	no	no	no
HO329	29 Seacombe Grove – “Ostend”	No	no	no	Yes	no	no	no	no
HO330	16 Service Street, Hampton – “Mirmarno”	No	no	no	Yes	no	no	no	no
HO331	33 Service Street, Hampton	Yes	no	no	Yes	yes	no	no	no
HO332	35 Service Street, Hampton	Yes	no	no	Yes	yes	no	no	no
HO333	37 Service Street, Hampton	Yes	no	no	Yes	yes	no	no	no
HO334	39 Service Street, Hampton	Yes	no	no	Yes	yes	no	no	no
HO335	5 Seymour Grove, Brighton – “Dunvegan”	No	no	no	Yes	no	no	no	no
HO336	6 Seymour Grove, Brighton	No	no	no	Yes	no	no	no	no
HO337	17 Seymour Grove, Brighton – “Nyora”	No	no	no	Yes	no	no	no	no
HO338	9 Simms Street, Sandringham – “Rossendale”	No	no	no	Yes	no	no	no	no
HO339	4 South Road, Brighton – “Milloo” former “Clarens”	No	no	no	Yes	no	no	no	no
HO340	23 South Road, Brighton – “Ebrington”	No	no	no	Yes	no	no	no	no
HO341	26 South Road, Brighton – “Charlston” - residence and tree - Coral	No	no	yes	Yes	no	no	no	no
HO342	47 South Road, Brighton – “Maritima”	No	no	no	Yes	no	no	no	no
HO343	65 South Road, Brighton – “Gallia”	No	no	no	Yes	no	no	no	no

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HO344	81 South Road, Brighton - "Kiora"	-	-	-	-	-	yes Ref No H621	yes	no
HO345	101 South Road, Brighton	No	no	no	Yes	no	no	no	no
HO346	120 South Road, Brighton East – "Castlefield" - former residence and trees – Morton Bay Fig and 2 Bunya Bunya Pines	No	no	yes	Yes	no	no	no	no
HO347	163 South Road, Brighton - St Leonard's College former residence "Harefield" later "Merton" - former residence and trees - Morton Bay Figs	Yes	no	yes	Yes	no	no	no	no
HO348	1 Esplanade, Brighton - Brighton Beach Railway Station	-	-	-	-	-	yes Ref No H1077	yes	no
HO349	20 Southey Street, Sandringham – "Cathay"	No	no	no	Yes	no	no	no	no
HO350	15 St Andrews Street, Brighton - St Andrews Church Precinct	-	-	-	-	-	yes Ref No H124	yes	no
HO351	44 St Andrew's Street, Brighton – "Ellesmere"	No	no	no	Yes	no	no	no	no
HO352	61 St Andrew's Street, Brighton	No	no	no	Yes	no	no	no	no
HO353	65 St Andrew's Street, Brighton – "Wotonga"	No	no	no	Yes	no	no	no	no
HO354	98 St Andrew's Street, Brighton	No	no	no	Yes	no	no	no	no

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO355	115 St Andrew's Street, Brighton	No	no	no	Yes	no	no	no	no
HO356	316 St Kilda Street, Brighton – “Morrow” former “Nithsdale”	No	no	no	Yes	no	no	no	no
HO357	387 St Kilda Street, Brighton – “Carinya”	No	no	no	Yes	no	no	no	no
HO358	8 Stanley Street, Elsternwick – “Doon”	No	no	no	Yes	no	no	no	no
HO359	835 Hampton Street, Brighton - “Invermay”	Yes	no	yes	Yes	no	no	no	no
HO360	Station Street at Abbot Street Crossing, Sandringham – Signal Box	No	no	no	Yes	no	no	no	no
HO361	Station Street, Sandringham – Railway Station	No	no	no	Yes	no	no	no	no
HO362	62-64 Station Street & 22 Melrose Street, Sandringham – “The Corner”	No	no	no	Yes	no	no	no	no
HO363	2 Sussex Street, Brighton – “Bronte”	No	no	no	Yes	no	no	no	no
HO364	42 Sussex Street, Brighton	No	no	no	Yes	no	no	no	no
HO365	24 Tennyson Street, Brighton – “Rathcar”	No	no	no	Yes	no	no	no	no
HO366	37 Tennyson Street, Sandringham – “Inglewood”	No	no	no	Yes	no	no	no	no
HO367	6 Thule Court, Brighton - “Thule”	Yes	no	no	Yes	no	no	no	no
HO368	33 Warleigh Grove, Brighton – “Eulo”	No	no	no	Yes	no	no	no	no
HO369	11 Warriston Street, Brighton – “Esperance”	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO370	14 Warriston Street, Brighton	No	no	no	Yes	no	no	no	no
HO371	2 Webb Street, Brighton	No	no	no	Yes	no	no	no	no
HO372	10 Webb Street, Brighton – “Ornana”	No	no	no	Yes	no	no	no	no
HO373	87 Well Street, Brighton – “Woodcliffe”	No	no	no	Yes	no	no	no	no
HO374	3 Wellington Street, Brighton – “Stanton”	Yes	no	yes	Yes	no	no	no	no
HO375	10 Wellington Street, Brighton – “Mucklebar”	No	no	no	Yes	no	no	no	no
HO376	1 Wellington Street, Brighton – “Chilton”	Yes	no	no	Yes	no	no	no	no
HO377	19 Wellington Street, Brighton – “Cathcart”	No	no	no	Yes	no	no	no	no
HO378	22 Wellington Street, Brighton – “Oyanna”	No	no	no	Yes	no	no	no	no
HO379	2-4 Were Street, Brighton	No	no	no	Yes	no	no	no	no
HO380	20 Were Street, Brighton – “Bersham” now “Winmarleigh”	Yes	no	yes	Yes	no	no	no	no
HO381	42 Were Street, Brighton – “Toiyabe”	Yes	no	no	Yes	no	no	no	no
HO382	43 Were Street, Brighton – South Lodge	No	no	no	Yes	no	no	no	no
HO383	60 Were Street, Brighton	No	no	no	Yes	no	no	no	no
HO384	80 Were Street, Brighton – “Mullamore”, later “Lochiel”	No	no	no	Yes	no	no	no	no
HO385	201 Were Street, Brighton – “Chevy Chase”	-	-	-	-	-	yes Ref No H125	yes	no

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO386	27 Whyte Street, Brighton	No	no	no	Yes	no	no	no	no
HO387	9 Willansby Avenue, Brighton – “Thornleigh”	No	no	no	Yes	no	no	no	no
HO388	6 William Street, Brighton – “Kilkerran”	No	no	no	Yes	no	no	no	no
HO389	14 William Street, Brighton – “Kalimna”	No	no	no	Yes	no	no	no	no
HO390	19 William Street, Brighton – “Doonside”	No	no	no	Yes	no	no	no	no
HO391	21 William Street, Brighton – “Barossa”	No	no	no	Yes	no	no	no	no
HO392	22 William Street, Brighton – “Mia Mia”	No	no	no	Yes	no	no	no	no
HO393	26 William Street, Brighton - “Florence Court”	Yes	no	no	Yes	no	no	no	no
HO394	42 William Street, Brighton – “Dersley”	No	no	no	Yes	no	no	no	no
HO395+	10 Wilson Street, Brighton - “St Cuthberts” Church continuing Presbyterian Church	Yes	no	no	Yes	no	no	no	no
HO396+	27 Wilson Street, Brighton – Police Offices and Quarters	No	no	no	Yes	no	no	no	no
HO397+	32 Wilson Street, Brighton – Brighton Town Hall	Yes	no	no	Yes	no	no	no	no
HO398	66 Wilson Street, Brighton - “Heazelwood”	Yes	no	no	Yes	no	no	no	no
HO399	92 Wilson Street, Brighton – “Algoma”	No	no	no	Yes	no	no	no	no
HO401	10 Agnew Street, East Brighton - Residence	No	no	no	Yes	no	no	no	no

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO403	30 Agnew Street, East Brighton - Residence	No	no	no	Yes	no	no	no	no
HO404	23 Albert Street, Brighton – Residence	No	no	no	Yes	no	no	no	no
HO405	22 Alfred Street, Beaumaris - "French House"	No	no	no	Yes	yes	no	no	no
HO406	4 Allee Street, Brighton - "Kainga"	Yes	no	no	Yes	no	no	no	no
HO407	25 Arkaringa Cresent, Black Rock - Residence	No	no	no	Yes	no	no	no	no
HO409	40 Asling Street, Brighton - "Lara"	Yes	no	no	Yes	no	no	no	no
HO410	8 Avonbury Court, Brighton - "Fletcher House"	Yes	no	no	Yes	no	no	no	no
HO411	215 Balcombe Road, Beaumaris - Residence	No	no	no	Yes	no	no	no	no
HO412	491 Balcombe Road, Beaumaris - "David Godsell House"	-	-	-	-	-	yes Ref No H2379	yes	no
HO416	29A Bamfield Street, Sandringham - Sandringham Primary School	Yes	no	no	Yes	no	no	no	no
HO417	54-56 Bamfield Street, Sandringham - "Buxton"	No	no	no	Yes	no	no	no	no
HO418	48 Bay Road, Sandringham - All Souls Memorial Church	No	no	no	Yes	no	no	no	no
HO419	31 Bay Street, Brighton - "Eldern"	No	no	no	Yes	no	no	no	no

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO421	74 Bay Street, Brighton – Residence	No	no	no	Yes	no	no	no	no
HO422	76 Bay Street, Brighton – Residence	No	no	no	Yes	no	no	no	no
HO423	168 &170 Bay Street, Brighton - Shop & residence	No	no	no	Yes	no	no	no	no
HO424	459 Bay Street, Brighton – Residence	No	no	no	Yes	no	no	no	no
HO425	47 Bayview Crescent, Black Rock - "Mona", now "Shenval"	No	no	no	Yes	no	no	no	no
HO426	Beach Road, Sandringham – Cenotaph	No	no	no	Yes	no	no	no	no
HO427	Beach Road, Sandringham - Trevor Barker Beach Oval Wall	Yes	no	no	Yes	yes	no	no	no
HO430	451 Beach Road, Beaumaris - Residence	Yes	no	no	Yes	no	no	no	no
HO431	Beach Road—Moysey Gardens, Beaumaris – Moysey Monument	No	no	no	Yes	no	no	no	no
HO434	9 Black Street, Brighton - "Pierrepont"	Yes	no	no	Yes	no	no	no	no
HO435	21 Black Street, Brighton - Residence	Yes	no	no	Yes	no	no	no	no
HO436	33 Black Street, Brighton - Residence	Yes	no	no	Yes	no	no	no	no
HO437	41 & 41A Black Street, Brighton - "St Ronan's"	No	no	no	Yes	no	no	no	no
HO438	42A Black Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO439	53 Black Street, Brighton - Residence	Yes	no	no	Yes	yes	no	no	no
HO440	55 Black Street, Brighton - "Ronbaix"	Yes	no	no	Yes	no	no	no	no

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HO441	270-272 Bluff Road, Sandringham - "Summerhill"	No	no	no	Yes	no	no	no	no
HO442	51- 53 Bluff Road, Black Rock - Black Rock Baby Health Centre	Yes	no	no	Yes	no	no	no	no
HO443	264 Bluff Road, Sandringham - Sandringham Fire Station	Yes	no	no	Yes	no	no	no	no
HO446	36 Brickwood Street, Brighton - "Truro"	No	no	no	Yes	no	no	no	no
HO447+	15 Boxshall Street (Carpenter Street), Brighton - Former Brighton Courthouse	No	no	no	Yes	no	no	no	no
HO448	11 Carpenter Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO449	13 Carpenter Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO453	75 Champion Street, Brighton - Residence	Yes	no	no	Yes	no	no	no	no
HO454	233 Charman Road, Cheltenham - Cheltenham Cemetery Caretakers House	Yes	no	no	Yes	yes	no	no	no
HO455	231 Charman Road, Cheltenham - Cheltenham Primary School	Yes	no	no	Yes	no	no	no	no
HO457	181 Charman Road, Beaumaris - "Villa Fillipa-Anna"	No	no	no	Yes	yes	no	no	no
HO458	213 – 215 Charman Road, Cheltenham - "Shalimar"	no	no	no	Yes	no	no	no	no
HO459	33 Chelsea Street, Brighton - "Okatina Flats"	No	no	no	Yes	yes	no	no	no

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HO462	118 Church Street, Brighton - Shop	No	no	no	Yes	no	no	no	no
HO463	172 Church Street, Brighton - "Ashurst", later "Danubia"	Yes	no	no	Yes	no	no	no	no
HO465	193 Church Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO466	203 Church Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO468	14 Coape Street, Cheltenham - Residence	No	no	no	Yes	no	no	no	no
HO470	21 Cole Street, Brighton - "Prendagga"	Yes	no	no	Yes	yes	no	no	no
HO472	40 Cole Street, Brighton - "Adlez"	Yes	no	no	Yes	yes	no	no	no
HO474	28 Cromer Road, Beaumaris - Residence	No	no	no	Yes	no	no	no	no
HO475	74 Cromer Road, Beaumaris - Residence	Yes	no	no	Yes	no	no	no	no
HO478	18 Deauville Street, Beaumaris - Residence	Yes	no	no	Yes	no	no	no	no
HO479	30 Elwood Street, Brighton - Residence	Yes	no	no	Yes	no	no	no	no
HO480	50 & 52 Elwood Street, Brighton - "Clyde" and "Carlton"	No	no	no	Yes	no	no	no	no
HO483	8 Emily Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO484	9 Emily Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO485	10 Emily Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO486	41-45 Fernhill Road, Sandringham - "Hollyburton"	No	no	no	Yes	no	no	no	no

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HO487	49 Fernhill Road, Sandringham - "Yerruc", now "Veronique"	No	no	no	Yes	no	no	no	no
HO491	Foreshore, Brighton - Sea Wall	No	no	no	Yes	no	no	no	no
HO492	5 Glebe Avenue, Cheltenham - Residence	No	no	no	Yes	no	no	no	no
HO493	17 Glebe Avenue, Cheltenham - Residence	No	no	no	Yes	no	no	no	no
HO494	25 Glebe Avenue, Cheltenham - Residence	No	no	no	Yes	no	no	no	no
HO496	37 Glebe Avenue, Cheltenham - "Langi"	No	no	no	Yes	no	no	no	no
HO497	5 Gordon Street, Hampton - Residence	No	no	no	Yes	no	no	no	no
HO498	11 Gordon Street, Hampton - Residence	No	no	no	Yes	no	no	no	no
HO499	14 Gordon Street, Hampton - Residence	Yes	no	no	Yes	no	no	no	no
HO500	24 - 26 Gordon Street, Beaumaris - "Ulupna"	Yes	no	no	Yes	no	no	no	no
HO501	11 Guernsey Avenue, Hampton East - "Guernsey House"	No	no	no	Yes	no	no	no	no
HO502	27 Halifax Street, Brighton - Residence	Yes	no	no	Yes	no	no	no	no
HO503	29 Halifax Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO504	59 Halifax Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO506	316 Hampton Street, Hampton - Residence	Yes	no	no	Yes	no	no	no	no

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HO507	330 - 332 Hampton Street, Hampton - Residence	Yes	no	no	Yes	no	no	no	no
HO508	483 Hampton Street, Hampton - Hampton Baby Health Centre	Yes	no	no	Yes	no	no	no	no
HO510	743 Hampton Street, Brighton - Former Watch House	No	no	no	Yes	no	no	no	no
HO512	725 Hawthorn Road, East Brighton – Residence	Yes	no	no	Yes	yes	no	no	no
HO513	739 Hawthorn Road, East Brighton - Uniting Church	No	no	no	Yes	no	no	no	no
HO514	Haydens Road—MacDonald Reserve, Beaumaris - Donald MacDonald Monument	No	no	no	Yes	no	no	no	no
HO515	Head Street, Brighton - Concrete Pier	Yes	no	no	Yes	yes	no	no	no
HO516	Highett Road, Highett - Highett Railway Station	No	no	no	Yes	no	no	no	no
HO519	Holloway Road, Sandringham - Former Sandringham Technical School	Yes	no	no	Yes	no	no	no	no
HO520	59 Holyrood Street, Hampton - St Mary's Primary School	No	no	no	Yes	no	no	no	no
HO521	1 Hoyt Street, Hampton - Residence	No	no	no	Yes	no	no	no	no
HO522	11 Hoyt Street, Hampton - Residence	No	no	no	Yes	no	no	no	no
HO523	20 Huntley Street, Brighton - "Bayview"	No	no	no	Yes	no	no	no	no

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HO524	5 Inner Crescent, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO527	6 King Street, Sandringham - "Coombe"	No	no	no	Yes	no	no	no	no
HO528	1 Linacre Road, Hampton - Residence	Yes	no	no	Yes	yes	no	no	no
HO529	Linacre Road, Triangle Gardens, Hampton – Almeida Monument	No	no	no	Yes	no	no	no	no
HO531	14 Lynch Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO532	15 & 17 Lynch Street, Brighton - Residences	No	no	no	Yes	no	no	no	no
HO533	32 Lynch Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO538	33 Martin Street, Brighton – Residence	Yes	no	no	Yes	yes	no	no	no
HO539	8 Mary Avenue, Highett - "Rosa Lea"	No	no	no	Yes	yes	no	no	no
HO540	5 Menzies Avenue, Brighton – Residence	Yes	no	no	Yes	no	no	no	no
HO542	59 Milroy Street, East Brighton – Residence	No	no	no	Yes	no	no	no	no
HO544	26 Nepean Avenue, Hampton East - Residence	No	no	no	Yes	no	no	no	no
HO545	765 Nepean Highway, East Brighton - Residence	No	no	no	Yes	no	no	no	no
HO547	263-275 New Street Brighton (also known as 29 Grosvenor Street Brighton), - "Borwick House", Brighton Grammar School	Yes	no	no	Yes	no	no	no	no

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HO549	455-457 New Street, Brighton - Residences	Yes	no	no	Yes	no	no	no	no
HO551	2 Wolseley Grove & 48 New Street Brighton - St Leonard's Uniting Church	No	no	no	Yes	no	no	no	no
HO552	176 New Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO553	276 New Street, Brighton - Wesleyan Church, later Ghiraween Chapel	No	no	no	Yes	no	no	no	no
HO555	19 North Road, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO556	121 North Road, Brighton - "Avondale"	No	no	no	Yes	no	no	no	no
HO558	31 Outer Crescent, Brighton - School Building	No	no	no	Yes	no	no	no	no
HO559	583 Nepean Highway (Palmer Avenue), East Brighton - Elizabeth Bleazby Baby Health Centre	No	no	no	Yes	no	no	no	no
HO560	Park Road, Cheltenham - Victoria Golf Clubhouse	No	no	no	Yes	no	no	no	no
HO561	109-111 Park Road, Cheltenham - "Stokeavilly"	No	no	no	Yes	no	no	no	no
HO562	97 Park Road, Cheltenham - Residence	No	no	no	Yes	no	no	no	no
HO563	99 Park Road, Cheltenham - Residence	Yes	no	no	Yes	yes	no	no	no
HO566	135 Park Road, Cheltenham - Residence	No	no	no	Yes	yes	no	no	no
HO567	2 Parliament Street, Brighton - Brighton Maternal and Child Health Centre	No	no	no	Yes	no	no	no	no

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HO570	13 Rennison Street, Beaumaris - Residence	Yes	no	no	Yes	yes	no	no	no
HO571	3 Rooding Street, Brighton - "Rooding"	No	no	no	Yes	no	no	no	no
HO574	50 Roslyn Street, Brighton - Residence	Yes	no	no	Yes	no	no	no	no
HO575	Royal Avenue, Sandringham - "The Swimmer"	No	no	no	Yes	no	no	no	no
HO576	45-51 Royal Avenue, Sandringham - "Sandringham House (Wool Wool)"	Yes	no	no	Yes	no	no	no	no
HO577	16 & 18 Selwyn Street, Brighton - Residences	No	no	no	Yes	no	no	no	no
HO578	17 Service Street, Hampton - Hampton Uniting Church	Yes	no	no	Yes	no	no	no	no
HO579	1 Seymour Grove, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO581	22 Seymour Grove, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO582	25 Seymour Grove, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO583	28 Seymour Grove, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO586	4 Sims Street, Sandringham - Residence	No	no	no	Yes	no	no	no	no
HO587	2 South Road, Brighton- "Craig Hall"	No	no	no	Yes	no	no	no	no
HO588	8 South Road, Hampton - "Methven"	Yes	no	no	Yes	no	no	no	no
HO590	17 South Road, Brighton - "Weeroona"	No	no	no	Yes	no	no	no	no
HO591	51 South Road, Brighton - Residence	Yes	no	no	Yes	no	no	no	no

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HO592	53 South Road, Brighton - Residence	Yes	no	no	Yes	yes	no	no	no
HO593	62 South Road, Brighton - "Boselman House"	Yes	no	no	Yes	no	no	no	no
HO594	71 South Road, Brighton - "Ingleby (Blackett House)"	No	no	no	Yes	no	no	no	no
HO595	2 Southey Street, Brighton - "Thanet Cottage"	Yes	no	no	Yes	no	no	no	no
HO596	42A Cole Street, Brighton - "Drom Tara"	No	no	no	Yes	no	no	no	no
HO597	17 St Ninians Road, Brighton - "Shandford"	No	no	no	Yes	no	no	no	no
HO606	10 Taylor Street, East Brighton - Residence	No	no	no	Yes	no	no	no	no
HO607	12 Taylor Street, East Brighton - Residence	No	no	no	Yes	no	no	no	no
HO608	11 Tennyson Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO609	18 Tennyson Street, Sandringham - Residence	No	no	no	Yes	no	no	no	no
HO611	4 The Avenue, Hampton - "Coakley House"	Yes	no	no	Yes	yes	no	no	no
HO613	The Esplanade, Brighton - "Cannon"	No	no	no	Yes	no	no	no	no
HO614	82 The Esplanade, Brighton - Residence	Yes	no	no	Yes	no	no	no	no
HO615	120 The Esplanade, Brighton - "Riviera"	No	no	no	Yes	no	no	no	no

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HO616	12 Oswald Thomas Avenue, Hampton East - "Stonehaven"	No	no	no	Yes	no	no	no	no
HO617	10 Thomas Street, Hampton - Holy Trinity Church	Yes	no	no	Yes	no	no	no	no
HO621	9 Warriston Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO622	141 Weatherall Road, Cheltenham - "Claramae"	No	no	no	Yes	no	no	no	no
HO624	75 Well Street, Brighton - "The Pines"	No	no	no	Yes	no	no	no	no
HO625	133-135 Were Street, Brighton - Shop	No	no	no	Yes	no	no	no	no
HO626	130 Were Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO627	134 Were Street, Brighton - Residence	No	no	no	Yes	no	no	no	no
HO629	124 Wickham Road, Hampton East – Residence	Yes	no	no	Yes	no	no	no	no
HO630	19 Willansby Avenue, Brighton - "Ashby"	No	no	no	Yes	no	no	no	no
HO631	23 William Street, Brighton - "Mindoro"	No	no	no	Yes	no	no	no	no
HO633	59 Wilson Street, Brighton - Brighton State School No. 1542	Yes	no	no	Yes	no	no	no	no
HO634	58 Wilson Street, Brighton - Church of Christ & Hall	Yes	no	no	Yes	no	no	no	no
HO635+	Wilson Street (cnr Carpenter Street), Brighton - Stone Tablet	No	no	no	Yes	no	no	no	no

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HO636	17-19 Wright Street, Brighton - Residences	No	no	no	Yes	no	no	no	no
HO638	12 Young Street, Brighton - "Elouara"	No	no	no	Yes	no	no	no	no
HO640	13-15 Asling Street, Brighton – "Ithica"	No	no	no	Yes	no	no	no	no
HO650	Berkeley Grove Precinct, East Brighton	No	no	no	Yes	no	no	no	no
HO651	Brighton Beach Railway Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO652	Castlefield Precinct, Hampton	No	no	no	Yes	no	no	no	no
HO653	Cheeseman Avenue Precinct, East Brighton	No	no	no	Yes	no	no	no	no
HO654	Cowper Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO655	Elm Grove Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO656	Grosvenor Estate Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO657	Hamilton Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO658	Hartley Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO659	Munro Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO660	New Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO661	Normanby Estate Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO662	North Road Precinct, Brighton including 417 New Street, Brighton	No	no	yes	Yes	no	no	no	no

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
				(applies only to North Road streetscape including 417 New Street, Brighton - see HO721)					
HO663	Westley Avenue Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO664	Orlando Street Precinct, Hampton	No	no	no	Yes	no	no	no	no
HO700	56 - 62 Abbott Street, Sandringham - Tree: African Olive	No	no	yes	Yes	no	no	no	no
HO701	108 Abbott Street, Sandringham - Tree Irish Strawberry	No	no	yes	Yes	no	no	no	no
HO702	Bamfield Street, Sandringham- Street Trees between Essex and Beach Road.	No	no	yes	Yes	no	no	no	no
HO703	Beach Road, Sandringham - Sandringham Beach Park	No	no	yes	Yes	no	no	no	no
HO704	Beach Road, Beaumaris - Coast Banksia, Sallow wattle, Coast Tea Tree and Drooping She-Oak in Remnant Bushland between Haydens and Reserve Roads.	No	no	yes	Yes	no	no	no	no
HO705	Opposite 423 Beach Road, Beaumaris - Coast Banksia in Road Reserve	No	no	yes	Yes	no	no	no	no
HO707	Carpenter Street, Brighton - Street Trees: 5 Red Ironbark, between William and Durrant Streets	No	no	yes	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO708	Charman Road, Cheltenham - Old Cheltenham Cemetery	No	no	yes	Yes	no	no	no	no
HO709	Corner New and Chavasse Streets, Brighton - 2 Trees: Sugar Gum, in Park	No	no	yes	Yes	no	no	no	no
HO710	30 Cheltenham Road, Black Rock- Trees: Southern Mahogany Gum and other plantings, in Royal Melbourne Golf Course	No	no	yes	Yes	no	no	no	no
HO711	14 Glyndon Avenue, Brighton - Garden	No	no	yes	Yes	no	no	no	no
HO712	Between Grange road and Brighton Street, Hampton - Trees :English Oak and Algerian Oaks, in A J Steele Reserve	No	no	yes	Yes	no	no	no	no
HO714	310 & 312-314 Hampton Street, Hampton - Tree: Chinese Elm	No	no	yes	Yes	no	no	no	no
HO715	20 Kelly Avenue, Hampton East - Tree: Lemon Scented Gum	No	no	yes	Yes	no	no	no	no
HO716	9 & 11 Kinane Street, Brighton - Tree: Variegated Elm	No	no	yes	Yes	no	no	no	no
HO718	Corner of Milroy Street and Mavis Avenue, East Brighton - Landcox Park	No	no	yes	Yes	no	no	no	no
HO721	North Road, Brighton - Streetscape between foreshore and railway line	No	no	yes	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO722	Park Road, Cheltenham and also opposite 97-111 and also opposite 133 140 Park Road Cheltenham - Remnant Vegetation in Cheltenham Park	No	no	yes	Yes	no	no	no	no
HO723	48-58 South Road, Hampton - Garden	No	no	yes	Yes	no	no	no	no
HO725	Union Street, East Brighton - Remnant Plantings in Street Reserve between Thomas Street and Hawthorn Road.	No	no	yes	Yes	no	no	no	no
HO726	53A & 55 Vincent Street, Sandringham - Tree: Manna Gum	No	no	yes	Yes	no	no	no	no
HO727	Outside 6 Wall Street, Beaumaris - Street Tree: Flowering Gum	No	no	yes	Yes	no	no	no	no
HO728	Wangara Road, Cheltenham - New Cheltenham Cemetery	No	no	yes	Yes	no	no	no	no
HO729	Adjacent to 16 Westley Avenue , Brighton - Street Trees: 2 Kurrajong	No	no	yes	Yes	no	no	no	no
HO730	The Esplanade, Brighton - Brighton Beach gardens Greenpoint, between South and Were Streets.	No	no	yes	Yes	no	no	no	no
HO731	17 Black Street, Brighton - Moreton Bay Fig and 3 Bhutan Cypress	No	no	yes	Yes	no	no	no	no
HO732	Boxshall Street, Brighton - Cork Oak Tree	No	no	yes	Yes	no	no	no	no
HO733	30-36 Ebdon Avenue, Black Rock - 2 Morton Bay Figs and garden plantings	No	no	yes	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO734	26 Halifax Street, Brighton - "Billilla" Garden	No	no	yes	Yes	no	no	no	no
HO735	74-104 North Road, Brighton - "Kamesburgh" trees and garden	No	no	yes	Yes	no	no	no	no
HO737	203 – 205 Charman Road, Cheltenham	Yes	no	no	Yes	yes	no	no	no
HO738	97 Church Street, Brighton	No	no	no	Yes	no	no	no	no
HO739	1 Clonmult Avenue, Highett	Yes	no	no	Yes	yes	no	no	no
HO743	37 Willis Street, Hampton	Yes	no	no	Yes	no	no	no	no
HO744	573 Balcombe Road, Black Rock	Yes	no	no	Yes	yes	no	no	no
HO745	5 Edward Street, Sandringham – Boyd House	No	no	yes	Yes	yes	no	no	no
HO746	Asling Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO747	Bay Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO748	Hampton Street Precinct, Hampton	No	no	no	Yes	no	no	no	no
HO749	Martin Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO752	39 Sandringham Road, Sandringham	No	no	no	Yes	no	no	no	no
HO753	1 Fernhill Road North, Sandringham	No	no	no	Yes	no	no	no	no
HO756	Hayball Court Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO757	Palmer Avenue Precinct, Brighton East	No	no	no	Yes	no	no	no	no
HO759	Durrant Street Precinct, Brighton	No	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO760	Lawrence Street Precinct , Brighton	No	no	no	Yes	no	no	no	no
HO761	Male Street Precinct , Brighton	No	no	no	Yes	no	no	no	no
HO762	Moffat Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO763	Orchard Street Precinct, Brighton	No	no	no	Yes	no	no	no	no
HO764	Brighton Town Hall Precinct	Yes	no	yes	Yes	no	no	no	no
HO768	Beach Road Brighton (opp New Street) – Former Old Melbourne Gaol Burial Markers	-	-	-	-	-	yes Ref No H2206	no	no
HO769	New Street, Brighton - New Street Railway Gates	-	-	-	-	-	yes Ref No H269	no	no
HO770	St Kilda Street, Brighton - St Kilda Street Bridge	-	-	-	-	-	yes Ref No H2080	no	no
HO771	9 Boxshall Street, Brighton (Lindsay House)	Yes	no	yes	Yes	no	no	no	no
HO772	23 Abbott Street, Sandringham - Sandringham Masonic Hall	-	-	-	-	-	yes Ref No H2355	no	no
HO773	38 Grosvenor Street, Brighton Esme Johnston House Statement of significance: <i>Statement of Significance, 'Esme Johnston House', 38 Grosvenor Street, Brighton, October 2020</i>	Yes	no	no	Yes	no	no	no	no

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO774	14 Pasadena Avenue, Beaumaris - "Grant House"	-	-	-	-	-	yes Ref No H2392	yes	no
HO775	33 Clonmore Street, Beaumaris Statement of Significance: <i>Statement of Significance: Rendell House - 33 Clonmore Street, Beaumaris (GJM Heritage, December 2025)</i>	No	No	No	No	Yes, Woodworking Studio	No	No	No
HO776	7 Coreen Avenue, Beaumaris Statement of Significance: <i>Statement of Significance: 7 Coreen Avenue, Beaumaris (GJM Heritage, December 2025)</i>	No	No	No	Yes	No	No	No	No
HO777	17 Coronet Grove, Beaumaris Statement of Significance: <i>Statement of Significance: 17 Coronet Grove, Beaumaris (GJM Heritage, December 2025)</i>	No	No	No	Yes	No	No	No	No
HO779	7 Grandview Avenue, Beaumaris Statement of Significance: <i>Statement of Significance: Philpot House - 7 Grandview Avenue, Beaumaris (GJM Heritage, December 2025)</i>	Yes	No	Yes	Yes	No	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO780	55 Haydens Road, Beaumaris Statement of Significance: <i>Statement of Significance: Grutzner House - 55 Haydens Road, Beaumaris (GJM Heritage, December 2025)</i>	No	No	No	Yes	Yes, Retaining walls (front and rear garden)	No	No	No
HO781	29 Scott Street, Beaumaris Statement of Significance: <i>Statement of Significance: Bricknell House - 29 Scott Street, Beaumaris(GJM Heritage, December 2025)</i>	No	No	No	Yes	Yes, the corrugated polycarbonate fencing along the northern boundary and the 1973 brick wall to the rear courtyard	No	No	No
HO782	10 Valmont Avenue, Beaumaris Statement of Significance: <i>Statement of Significance: Lyon House - 10 Valmont Avenue, Beaumaris (GJM Heritage, December 2025)</i>	No	No	Yes	Yes	Yes, Tea tree fence at Wells Road frontage	No	No	No
HO793	32 North Road, Brighton - "Seccull House"	-	-	-	-	-	yes Ref No H2406	No	No
HO794	<i>House</i> 40 Anita Street, Beaumaris Statement of significance:	No	No	No	Yes	Yes - prominent carport and hit and miss front brick fence	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<i>House, 40 Anita Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>								
HO795	<i>Spencer House</i> 24 Balcombe Park Lane, Beaumaris Statement of significance: <i>Spencer House, 24 Balcombe Park, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	Yes - mature Eucalyptus species	Yes	Yes - prominent integrated carport, timber entrance gate and brick garden walls	No	No	No
HO796	<i>Powe House</i> 12 Bolton Street, Beaumaris Statement of significance: <i>Powe House, 12 Bolton Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - brick garage at rear	No	No	No
HO797	<i>Crichton House</i> 2 Clonmore Street, Beaumaris Statement of significance: <i>Crichton House, 2 Clonmore Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	Yes - mature Eucalyptus species	Yes	Yes - integrated carport	No	No	No
HO798	<i>Halliday House</i> 23 Clonmore Street, Beaumaris Statement of significance:	No	No	Yes - mature <i>Melaleuca alternifolia</i> (tea-trees)	Yes	No	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<i>Halliday House, 23 Clonmore Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>								
HO799	<i>Nissen House</i> 56 Cloris Avenue, Beaumaris Statement of significance: <i>Nissen House, 56 Cloris Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO800	<i>Dearie House</i> 14 Cromer Road, Beaumaris Statement of significance: <i>Dearie House, 14 Cromer Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO801	<i>Stegley House</i> 86 Dalgetty Road, Beaumaris Statement of significance: <i>Stegley House, 86 Dalgetty Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	Yes	No	No	Yes	Yes - high brick front wall and prominent integrated carport	No	No	No
HO802	<i>Gye House</i> 19 Florida Avenue, Beaumaris Statement of significance:	No	No	Yes- remnant <i>Melaleuca alternifolia</i> (tea-trees)	Yes	Yes - prominent integrated carport	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<i>Gye House, 19 Florida Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>								
HO803	House 50 Gareth Avenue, Beaumaris Statement of significance: <i>House, 50 Gareth Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - low garden retaining walls clad with random stone and prominent integrated carport	No	No	No
HO804	Hellier House 19 Gramatan Avenue, Beaumaris Statement of significance: <i>Hellier House, 19 Gramatan Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - Brick stanchion with incorporated letterbox and planter at driveway entrance, low brick garden wall and prominent integrated carport	No	No	No
HO805	Derham House 9 Gray Court, Beaumaris Statement of significance: <i>Derham House, 9 Gray Court, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - bluestone garden walls and integrated carport	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO806	<i>Gooch House</i> 19 Haywood Street, Beaumaris Statement of significance: <i>Gooch House, 19 Haywood Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	Yes - 2 x mature Eucalyptus species in front garden	Yes	Yes - prominently sited carport	No	No	No
HO807	<i>Muckle Flugga</i> 2 High Street, Beaumaris Statement of significance: <i>Muckle Flugga, 2 High Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - volcanic rock garden walls and separate carport (with later garage door).	No	No	No
HO808	<i>Baird House</i> 15 Hume Street, Beaumaris Statement of significance: <i>Baird House, 15 Hume Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO809	<i>Clarke House</i> 18 Hutchison Avenue, Beaumaris Statement of significance: <i>Clarke House, 18 Hutchinson Avenue Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominently sited carport, face brick walls and lava rock features	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO810	<i>Hannan House</i> 11-13 Lang Street, Beaumaris Statement of significance: <i>Hannan House, 11-13 Lang Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - integrated garage	No	No	No
HO812	<i>Manning House</i> 25 Oak Street, Beaumaris Statement of significance: <i>Manning House, 25 Oak Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent integrated carport and brick garden wall matching the house	No	No	No
HO813	<i>Fermanis House</i> 1 Reid Street, Beaumaris Statement of significance: <i>Fermanis House, 1 Reid Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominently sited and integrated double carport and high brick garden wall	No	No	No
HO815	<i>Tutt House</i> 142 Reserve Road, Beaumaris Statement of significance: <i>Tutt House, 142 Reserve Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent integrated carport and garden retaining walls which match the face brick of the house	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO816	<i>Atkins House</i> 53 Scott Street, Beaumaris Statement of significance: <i>Atkins House, 53 Scott Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO818	<i>Weate House</i> 11 Summerhill Road, Beaumaris Statement of significance: <i>Weate House, 11 Summerhill Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	Yes - mature Eucalyptus species	Yes	No	No	No	No
HO819	<i>Smith House</i> 16 Surf Avenue, Beaumaris Statement of significance: <i>Smith House, 16 Surf Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent integrated garage and enclosed front courtyard, side wall along driveway with angled timber letterbox	No	No	No
HO820	<i>Mollar House</i> 28 Towers Street, Beaumaris Statement of significance: <i>Mollar House, 28 Towers Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	Yes - mature Eucalyptus and Melaleuca species in the front garden	Yes	Yes - prominent front carport	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO822	<i>House</i> 166 Tramway Parade, Beaumaris Statement of significance: <i>House, 166 Tramway Parade, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - brick garden retaining walls	No	No	No
HO823	<i>Ahern House</i> 171 Tramway Parade, Beaumaris Statement of significance: <i>Ahern House, 171 Tramway Parade, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - random stone garden terrace walls	No	No	No
HO825	<i>Thorburn House</i> 21 Vardon Avenue, Beaumaris Statement of significance: <i>Thorburn House, 21 Vardon Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent and integrated carport	No	No	No
HO826	<i>Iggulden House</i> 50 Wells Road, Beaumaris Statement of significance: <i>Iggulden House, 50 Wells Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - volcanic rock retaining walls	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO827	<i>Bridgford House</i> 242 Beach Road, Black Rock Statement of significance: <i>Bridgford House, 242 Beach Road, Black Rock Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - integrated carport, timber fence enclosing the front (west) garden and high brick wall to Bayview Crescent	No	No	No
HO828	<i>Saade House</i> 344 Beach Road, Black Rock Statement of significance: <i>Saade House, 344 Beach Road, Black Rock Statement of Significance (GJM Heritage, September 2025)</i>	Yes	No	No	Yes	Yes - front fence with hit and miss brickwork and gates with 'S' motif	No	No	No
HO830	<i>Lamb House</i> 3 Seaview Crescent, Black Rock Statement of significance: <i>Lamb House, 3 Seaview Crescent, Black Rock Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - high brick garden walls with integrated letterbox and plantings and prominent double carport	No	No	No
HO831	<i>Opat House</i> 25 Chatsworth Avenue, Brighton Statement of significance: <i>Opat House, 25 Chatsworth Avenue, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	Yes	No	Yes - <i>Eucalyptus citriodora</i> (lemon-scented gum) and <i>Corymbia maculata</i> (spotted gum)	Yes	Yes - prominently-sited garage, timber sleeper edging to front garden and free-standing recycled brick letterbox	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO832	<i>Widawski House</i> 56A Dendy Street, Brighton Statement of significance: <i>Widawski House, 56A Dendy Street, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO833	<i>Abrahams House</i> 21 Dudley Street, Brighton Statement of significance: <i>Abrahams House, 21 Dudley Street, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	Yes - 4 x mature Eucalyptus species (three in front and one in rear garden)	Yes	Yes - prominent integrated carport	No	No	No
HO834	<i>Lipson House</i> 3 Exon Street, Brighton Statement of significance: <i>Lipson House, 3 Exon Street, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - hit-and-miss garden wall	No	No	No
HO835	<i>Biderman House</i> 45 Hanby Street, Brighton Statement of significance: <i>Biderman House, 45 Hanby Street Street, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - high brick courtyard wall and prominent integrated carport	No	No	No

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PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO836	<i>Mollard House</i> 48 Hanby Street, Brighton Statement of significance: <i>Mollard House, 48 Hanby Street Street, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - high brick garden wall and prominent integrated carport	No	No	No
HO837	<i>Roubicek House</i> 51 Lynch Crescent, Brighton Statement of significance: <i>Roubicek House, 51 Lynch Crescent, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO838	<i>Fox House</i> 6 Norwood Avenue, Brighton Statement of significance: <i>Fox House, 6 Norwood Avenue, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - tall garden wall and prominent integrated carport	No	No	No
HO839	<i>Fletcher House</i> 3 Roslyn Street, Brighton Statement of significance: <i>Fletcher House, 3 Roslyn Street, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent integrated carport and courtyard walls matching the walls of the house	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO840	<i>Sayle House</i> 40 Sussex Street, Brighton Statement of significance: <i>Sayle House, 40 Sussex Street, Brighton Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent integrated carport and garden wall matching walls of the house with integrated timber letterbox	No	No	No
HO842	<i>Flats</i> 1-6/16 Clive Street, Brighton East Statement of significance: <i>Flats, 1-6 16 Clive Street, Brighton East Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - low cream brick garden wall with integrated letterbox and integrated carports	No	No	No
HO843	<i>Pruzanski & Jenkie Houses</i> 32 Clonaig Street & 1 Meyer Court, Brighton East Statement of significance: <i>Pruzanski & Jenkie Houses, 32 Clonaig Street & 1 Meyer Court, Brighton East Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - low brick garden walls and prominent double garages	No	No	No
HO844	<i>Rottem House</i> 2 Davey Avenue, Brighton East Statement of significance:	No	No	No	Yes	No	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<i>Rottem House, 2 Davey Avenue, Brighton East Statement of Significance (GJM Heritage, September 2025)</i>								
HO846	Barry House 7 Roosevelt Court, Brighton East Statement of significance: <i>Barry House, 7 Roosevelt Court, Brighton East Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent integrated carport and perforated / hit and miss brickwork to the eastern wall lining the driveway	No	No	No
HO847	Hirsh House 1 Sara Avenue, Brighton East Statement of significance: <i>Hirsh House, 1 Sara Avenue, Brighton East Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominent random stone-clad feature wall and prominent integrated carport	No	No	No
HO848	Cohen House 14 Fairway Avenue, Cheltenham Statement of significance: <i>Cohen House, 14 Fairway Avenue, Cheltenham Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - prominently sited integrated carport	No	No	No
HO849	Patrick House 19 Olympic Avenue, Cheltenham Statement of significance:	No	No	No	Yes	Yes - prominently sited integrated carport	No	No	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	<i>Patrick House, 19 Olympic Avenue, Cheltenham Statement of Significance (GJM Heritage, September 2025)</i>								
HO851	<i>Perkins House</i> 28 Gladstone Street, Sandringham Statement of significance: <i>Perkins House, 28 Gladstone Street, Sandringham Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	Yes - Prominent integrated carport (now garage) and high front garden wall	No	No	No
HO852	<i>Armstrong House</i> 22 Harold Street, Sandringham Statement of significance: <i>Armstrong House, 22 Harold Street, Sandringham Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO853	<i>Bellaire Court Estate</i> Group Listing 2, 4, 8, 10, 15, 18 & 19 Bellaire Court, Beaumaris Statement of significance: <i>Bellaire Court Estate, 2, 4, 8, 10, 15, 18 & 19 Bellaire Court, Beaumaris, Sandringham Statement of Significance (GJM Heritage, September 2025)</i>	No	No	No	Yes	No	No	No	No
HO854	257 St Kilda Street, Brighton - "Kuring-gai"	-	-	-	-	-	yes Ref No H2414	Yes	No

BAYSIDE PLANNING SCHEME

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO855	Tara (former Greenock) 31-33 Eliza Street, Black Rock (part) Statement of significance: <i>Tara (former Greenock) 31-33 Eliza Street, Black Rock Statement of Significance</i> (David Helms Heritage Planning, July 2022)	No	No	Yes - 5 x West Australian Flowering Gums, 1 x Hybrid Oak, 1 x Rough-Barked Apple, 1 x Brush Box, 1 x Water Gum	No	No	No	No	No

Notes:

* Denotes interim protection

+ Denotes the property has individual heritage overlay and is also within a heritage precinct. Refer to Clause 22.05 Heritage policy:

43.0231/07/2018
VC148**DESIGN AND DEVELOPMENT OVERLAY**

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

Purpose

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

To identify areas which are affected by specific requirements relating to the design and built form of new development.

43.02-119/01/2006
VC37**Design objectives**

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

43.02-220/04/2026
VC307**Buildings and works****Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
 - If a schedule to this overlay specifically states that a permit is not required.
 - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
 - To the construction of a building or construction or carrying out of works for a small second dwelling if all the following requirements are met:
 - The building height must not exceed 5 metres.
 - The building must be finished using muted tones and colours.
- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05

BAYSIDE PLANNING SCHEME

Class of application	Provision
▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ An outdoor swimming pool. 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 \$1,400,000 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 \$700,000 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

16/10/2025
VC288

Subdivision

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Subdivide land to realign the common boundary between two lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into two lots if: ▪ 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. - Has started lawfully. ▪ The subdivision does not create a vacant lot.	
Subdivide land into two lots if:	Clause 59.02
▪ 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. ▪ Each lot will contain either: - one existing dwelling; or - one dwelling permitted to be constructed in accordance with the permit.	

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.02-4

31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

04/02/2021
C168bays

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

BUILDING HEIGHT CONTROL-COASTAL

1.0

04/02/2021
C168bays

Design objectives

To protect and enhance the foreshore environment and views of Bayside from Port Phillip Bay.

To relate the scale and form of any new development to the landform of the coast.

To maintain a pedestrian scale along Beach Road.

To maintain consistency with urban design and development objectives in the *Bayside Coastal Strategy 1997* and the *Victorian Coastal Strategy 2014*.

To protect the foreshore from overshadowing.

To manage the increased pressure for higher buildings along the coast.

To protect the amenity and privacy of residential properties.

2.0

04/02/2021
C168bays

Buildings and works

Permit not required

A permit is not required to construct a building or construct or carry out works for any of the following:

- Navigational aids.
- A radio mast.
- A television antenna.
- A television mast associated with a building.
- A building with a building height of not more than 2 storeys* provided that each storey is less than 3.5m measured from the floor level to the finished floor level of the floor above or if there is no floor above, to the ceiling (excluding staircases, architectural voids and light wells).
- Buildings which have a building height of not more than 6.0m.*
- Buildings or works on land at 24 The Esplanade, Brighton (Certificate of Title 9363 Folio 812) that are within 48 metres of the frontage to The Esplanade and constructed to a building height not exceeding 12 metres provided the land is used only for accommodation.

**These exemptions do not include a roof deck located above the second storey of a building.*

Permit requirements

Buildings and works must be constructed in accordance with the following requirements:

- Building height must not exceed 2 storeys (excluding an attic or basement). A permit may be granted for buildings and works to a height of 3 storeys on land at:
 - 56 Beach Road, Hampton.
 - 170 – 171 Beach Road, Sandringham.
- Buildings and works constructed at 170-171 Beach Road, Sandringham, must be generally in accordance with the plans endorsed as part of Bayside City Council Planning Permit No. 2002/8190 to the satisfaction of the responsible authority.
- A roof containing an attic must match typical roof details of the surrounding neighbourhood in terms of roof pitch and form and any windows in the roof must be dormer windows, mounted flush to the roof, recessed or of minimal dimensions.

BAYSIDE PLANNING SCHEME

A permit is required to construct a roof deck above the second storey of a building.

A roof deck must:

- Be designed and constructed of materials that integrate with the architectural style and form of the building.
- Be set back at least 2 metres from the roof edge immediately below on all sides to minimise the visual impact on the street, coastal environs and adjoining properties.
- Be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings.
- Not include any structures or elements that exceed a height of 1.7 metres, apart from an access structure.
- Be accessed by a structure that is designed and located to have minimal impact on the street and adjoining properties, does not enclose any useable floor space and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck).

For the purposes of this schedule a 'roof deck' means an area designed and used as private open space that is located above the upper storey of a building.

For the purposes of this schedule an 'attic' is identified as follows:

A space within a building, contained wholly within the roof pitch, that is not immediately enclosed by vertical external walls and may contain dormer windows, recessed windows, or skylights and does not contribute materially to the scale and mass of the building form.

For the purpose of this Schedule a 'dormer window' is identified as follows:

A projecting construction to provide natural lighting to attic spaces, comprising a vertical window with its own pitched roof, gable and side walls, framed into a larger sloping roof. Usually several dormers are used for balanced design.

For the purpose of this Schedule the following factors are indicative of an attic:

- A space which is wholly contained / enclosed within a roof space.
- A space which is not bordered by any vertical external walls except gable walls.
- A space which is relatively small in scale in relation to the scale of the remaining built form.
- The presence of dormer style windows or skylights.
- Does not contribute significantly to the building form.
- A space or series of spaces which in total occupy and area no greater than half the floor area of the storey below.

A permit cannot be granted to construct a building or construct or carry out works which are not in accordance with the above requirements except that a permit may be granted to replace a building or works existing before 24 February 2000 which does not meet the height requirements of this clause.

3.0

04/02/2021
C168bays

Subdivision

None specified.

4.0

04/02/2021
C168bays

Signs

None specified.

5.004/02/2021
C168bays**Application requirements**

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A neighbourhood and site description and design response which demonstrates how the proposed building achieves the design objectives.

6.004/02/2021
C168bays**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The neighbourhood and site description.
- The design response.
- Whether the proposed siting, height, design, building setbacks and landscaping will be in keeping with the character of the area.
- Whether replacement buildings or works meet the objectives of this schedule and improve the amenity of the area.
- The impact of the development on the coastal environment where appropriate.
- The background document *Bayside Coastal Strategy 1997*.

The following decision guidelines apply to an application for a permit to construct a roof deck 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 integration of the structure and form of the roof deck and associated access with the building.
- The visual impact of the roof deck and associated access when viewed from the street and surrounding area.
- Amenity impacts including overlooking into surrounding private open spaces, views into surrounding habitable room windows and overshadowing.
- Use of materials, finishes and colours.

Background documents

Bayside Height Control Study (Hansen Partnership, March 2000)

Bayside Urban Character Report (Ratio Consultants, 1999)

Bayside Coastal Strategy (Bayside City Council, 1997)

Victorian Coastal Strategy 2014

04/02/2021
C168bays

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

BUILDING HEIGHT CONTROL - INLAND AREAS

1.0

04/02/2021
C168bays

Design objectives

To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

To preserve the existing character and amenity of the areas as low rise (up to two storeys) suburban areas with a strong garden character.

To maintain the prevailing streetscape rhythm, building scale and height of neighbourhoods.

To maintain a strong landscape character with buildings set within vegetated surrounds.

2.0

04/02/2021
C168bays

Buildings and works

Permit not required

A permit is not required to construct a building or construct or carry out works for any of the following:

- Navigational aids.
- A radio mast.
- A television antenna.
- A television mast associated with a building.
- A building with a building height of not more than 2 storeys and not more than:
 - 9 metres, or
 - 10 metres where the slope of the natural ground level at any cross section of the site of the building wider than 8 metres is 2.5 degrees or more.

Where building height is expressed in storeys, it excludes a basement as defined, but an attic, mezzanine and built over car parking area are each considered to be a storey.

3.0

04/02/2021
C168bays

Subdivision

None specified.

4.0

04/02/2021
C168bays

Signs

None specified.

5.0

04/02/2021
C168bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A neighbourhood and site description and design response which demonstrates how the proposed building achieves the design objectives.
-

6.0

04/02/2021
C1688bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The design objectives of this Schedule.
- The neighbourhood and site description.
- The design response.
- The effect of the building height on the scale and character of the area.
- Whether the building height exceeds the preferred building height of up to 2 storeys.
- Whether the proposed siting, height, design, building setbacks and landscaping will be in keeping with the character of the area.

Background documents

Bayside Height Control Study (Hansen Partnership March, 2000)

Bayside Urban Character Report (Ratio Consultants, 1999)

04/02/2021
C168bays

SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3**.

BUILDING HEIGHT CONTROL FOR NON-RESIDENTIAL BUILDINGS IN THE INLAND MINIMAL RESIDENTIAL GROWTH AREA

1.0

04/02/2021
C168bays

Design objectives

To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

To preserve the existing character and amenity of the areas as low rise (up to two storeys) suburban areas with a strong garden character.

To maintain the prevailing streetscape rhythm, building scale and height of neighbourhoods.

To maintain a strong landscape character with buildings set within vegetated surrounds.

2.0

04/02/2021
C168bays

Buildings and works

Permit not required

A permit is not required to construct a building or to construct or carry out works for a residential building or dwelling.

A permit is not required to construct a building or to construct or carry out works for any other use with a building height of not more than 2 storeys and not more than:

- 8 metres, or
- 9 metres where the slope of the natural ground level at any cross section of the site of the building wider than 8 metres is 2.5 degrees or more.

Where building height is expressed in storeys, it excludes a basement as defined, unless the basement projects more than 1.2m above natural ground level. Whereas an attic, mezzanine, balcony or building over a car parking area are each considered to be a storey.

3.0

04/02/2021
C168bays

Subdivision

None specified.

4.0

04/02/2021
C168bays

Signs

None specified.

5.0

04/02/2021
C168bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A written statement and plan that demonstrates how the proposed building achieves the design objectives of this Schedule.

6.0

04/02/2021
C168bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the design objectives of this Schedule have been met.
-

BAYSIDE PLANNING SCHEME

- Whether the development respects and is compatible with the surrounding residential character.
- Whether the proposed building height exceeds the preferred building height of up to 2 storeys.
- Whether the proposed siting, height, design, building setbacks and landscaping will be in keeping with the character of the area.
- The effect of the building height on the scale and character of the area.

Background documents

Bayside Height Control Study (Hansen Partnership March, 2000)

Bayside Urban Character Report (Ratio Consultants, 1999)

Bayside Housing Strategy (September 2012)

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4**.

HIGHETT ROAD SHOPPING STRIP**1.0**21/09/2022
C160bays**Design objectives**

To create a three storey street wall along the Highett Road Shopping Strip, with any fourth storey set back from the street wall.

To provide weather protection for pedestrians, such as verandahs or canopies, along the Highett Road Shopping Strip.

To provide interest at street level by ensuring buildings are fine grained, provide active frontages, articulated, well designed facades, fenestrations and parapet treatments and include detailing and materials to provide interest at street level and encourage retail and ground level. .

To increase the amount of greenery within the Highett Road Shopping Strip either through the use of landscaping at ground level or the use of green roofs and walls where landscaping opportunities at ground level are limited.

To minimise the adverse amenity impacts of increased building heights in the Highett Shopping Strip on surrounding residential areas through setbacks and landscaping.

2.021/09/2022
C160bays**Buildings and works**

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- A building must not exceed the maximum building height (in metres and storeys) from ground level specified in Table 1 for the corresponding precinct specified in Map 1. This does not apply if the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation, where the maximum building height is measured from the minimum floor level determined by the relevant drainage authority or floodplain management authority.
- A building with a frontage to Highett Road must be built to the frontage up to the third storey and must be set back at least 5 metres from the fourth storey.
- A building should meet the side and rear setback specified in Table 1 for the corresponding precinct specified in Map 1.
- A building must provide a fine grained urban form to streets.
- A building must provide active frontages, articulated and well designed facades, fenestrations and parapet treatments and include detailing and materials to provide interest at street level.
- A building fronting Highett Road must provide weather protection for pedestrians.
- Screen planting and landscaping must be provided in side and rear setbacks that abut land within a residential zone to reduce amenity impacts and to increase the amount of greenery in the Highett Road Shopping Strip. Green roofs and walls may be considered to meet this requirement if landscaping opportunities at ground level are limited.

Table 1: Maximum building height and side and rear setbacks

Precinct	Maximum Building Height	Side and rear setbacks
1A	4 storeys and 14 metres	0 metres from a side or rear boundary that adjoins land in a commercial zone.
1B	3 storeys and 11 metres	

BAYSIDE PLANNING SCHEME

Precinct	Maximum Building Height	Side and rear setbacks
		3 metres from a side or rear boundary that adjoins land in a residential zone, 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.

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.

3.0

21/09/2022
C160bays

Subdivision

None specified.

4.0

21/09/2022
C160bays

Signs

None specified.

5.0

21/09/2022
C160bays

Application requirements

None specified.

6.0

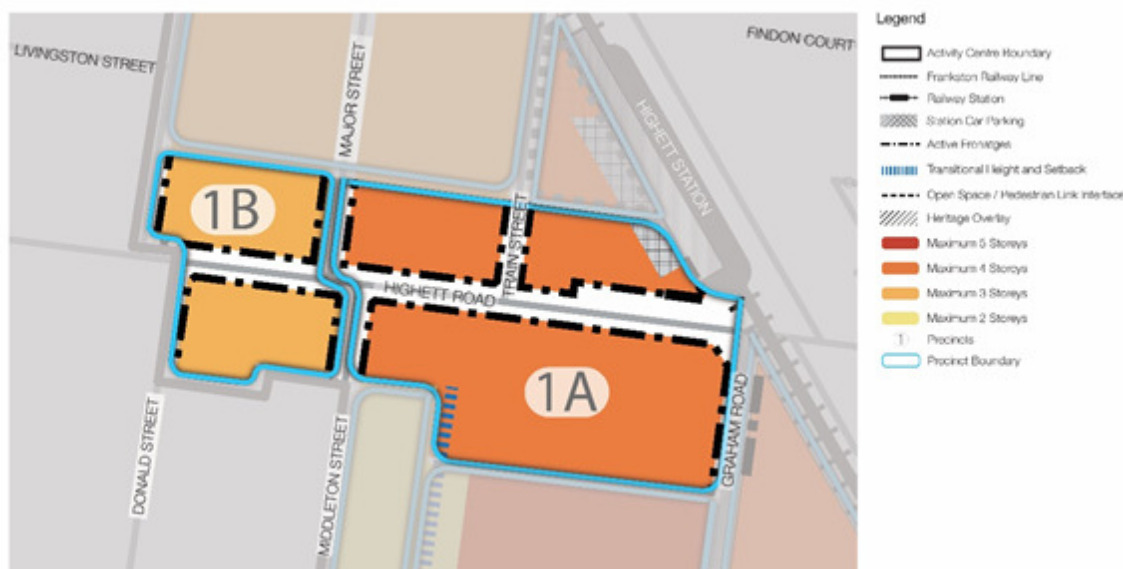
21/09/2022
C160bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

The amenity impacts on any adjoining land in a Residential Zone particularly with respect to overshadowing, overlooking and visual bulk.

Map 1: Highett Activity Centre Built Form Provisions



SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**.

BUILT FORM IN THE BEAUMARIS CONCOURSE ACTIVITY CENTRE**1.0**04/02/2021
C168bays**Design objectives****Built form**

To create a quality public environment.

To reinforce the distinct Beaumaris style of contemporary architecture.

To ensure buildings scale and height is appropriate in the neighbourhood context.

To preserve sun penetration to the footpaths.

Street edges

To design and plan street edges to enhance the pedestrian environment.

To encourage outdoor activity and street-life in a way that ensures ease of movement for pedestrians.

To ensure active visual engagement between those in the street and the ground floor of buildings.

New frontages

To encourage creation of 'frontages' to Edith Street and the central car park.

2.004/02/2021
C168bays**Buildings and works**

A permit is required to construct a fence.

Discretionary and mandatory requirements

A permit may be granted to construct a building or carry out works that do not meet a requirement expressed using the verb 'should', provided the design objectives for this schedule are met.

A permit cannot be issued where a requirement expressed using the verb 'must' is not met.

2.1 Built form

Buildings and works must be constructed in accordance with the following requirements:

Maximum Building Height	Maximum Number of storeys	Minimum setbacks
Building height should seek to achieve an overall building height of 9 metres. Building height must not exceed 11 metres unless the slope of natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum building height must not exceed 12 metres.	Preferably 2 with a maximum of 3.	<i>Rear:</i> Third Storey: 4m from boundary. <i>Front:</i> Third Storey: 4m from frontage.

- Plant and equipment must be screened from view.
- Any setback area at the rear of properties must be screened to prevent the overlooking of the secluded open space of nearby residential properties.
- Weather protection must be provided over the footpath in the form of verandahs.

A permit is required to construct a roof deck above the third storey of a building. (For the purposes of this schedule a 'roof deck' means an area designed and used as private open space that is located above the upper storey of a building.)

A roof deck must:

- Be designed and constructed of materials that integrate with the architectural style and form of the building.
- Be set back at least two metres from the wall of the storey below which faces the front or the rear of the site to minimise the visual impact on the street, coastal environs and adjoining properties.
- Be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings.
- Not include any structures or elements that exceed a height of 1.7 metres, apart from an access structure.
- Be accessed by a structure that is designed and located to have minimal impact on the street and adjoining properties, does not enclose any useable floor space and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck).

A balcony must:

- Be set back at least two metres from the wall of the storey below which faces the front or the rear of the site to minimise the visual impact on the street, coastal environs and adjoining properties.

2.2 Shop fronts in core retail areas

Buildings with ground-level street frontages on streets marked as ‘Active frontages required’ on a plan forming part of this schedule must contribute to the appearance and retail function of the area to the satisfaction of the responsible authority.

Frontages marked as ‘Active frontages required’ should provide:

- At least five metres or 80 per cent of the street frontage (whichever is the greater) as:
 - an entry or display window to a shop and/or a food and drink premises; or
 - customer service areas and activities that provide pedestrian interest and interaction.
- Built scale appropriate to the street and pedestrians.
- Clear glazing and window covering that do not obscure views into the premises.
- Transparent security grilles.

2.3 New Frontages

Buildings with ground level street frontages on streets or areas marked as ‘Create new frontages’ must contribute to the safety, visual interest and vitality of the street or area to the satisfaction of the responsible authority, by minimising the extent and visual impact of blank walls, vehicle entrances and utilities such as air conditioning vents and fire escapes.

Ground level street frontages should incorporate:

- Window and door openings, displays, artwork or architectural detailing
- Scale appropriate to the street and proximity to pedestrians
- Any fences at a ground level street frontage should be less than 1.5 metres high.

2.4 Exemption from notice and appeal

An application to construct a building or construct or carry out works that relates solely to the ground floor frontage of the premises 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

04/02/2021
C168bays

Subdivision

None specified.

5.0

04/02/2021
C168bays

Signs

None specified.

6.0

04/02/2021
C168bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A neighbourhood and site description and design response that demonstrates how the proposed building achieves the design objectives.

7.0

04/02/2021
C168bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The character of the Beaumaris Concourse activity centre.
- The need for active street frontages.
- The vitality of the retail core of the centre.
- Pedestrian comfort and safety.
- The need to provide access to upper floor uses.

Background documents

Beaumaris Concourse Structure Plan (February 2005)

BAYSIDE PLANNING SCHEME

Map 1 to Schedule 7 to Clause 43.02

-  Retail core
-  Active frontages required
-  Create new frontages to streets incorporating off-street parking



04/02/2021
C168bays

SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

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

FENCES - MEYER COURT AND DOWNES AVENUE, BRIGHTON

1.0

04/02/2021
C168bays

Design objectives

To maintain the character of low front fences that allows unimpeded views to front gardens and creates a feeling of spaciousness.

To ensure that front and side fences within the building frontage complement the design and materials of the statement of neighbourhood character for Myer Court, Brighton and Downes Avenue, Brighton.

2.0

04/02/2021
C168bays

Buildings and works

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

A permit is required to construct a front fence or a side fence within the front setback of the dwelling.

Meyer Court

Front fences must:

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

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

Downes Avenue

Front fences must:

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

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

Exemption from notice and appeal

An application to construct a fences is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0

04/02/2021
C168bays

Subdivision

A permit is not required to subdivide land.

4.0

04/02/2021
C168bays

Signs

None specified.

5.0

04/02/2021
C168bays

Application requirements

None specified.

6.0

04/02/2021
C168bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to the decision guidelines listed at Clause 43.02-7, the responsible authority must consider:

- Whether the proposed fence achieves the statement of neighbourhood character and the neighbourhood character objectives for Downes Avenue - Schedule 5 to the Neighbourhood Character Overlay or Meyer Court - Schedule 6 to the Neighbourhood Character Overlay, as appropriate.
 - The design response.
 - The neighbourhood and site description.
-

24/09/2020
C126bays

SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO13**.

SMALL NEIGHBOURHOOD ACTIVITY CENTRES

1.0

24/09/2020
C126bays

Design objectives

To ensure that scale and form of new development compatible with the role and function of the centres.

To ensure that new development is designed to provide an appropriate transition to existing low scale residential areas.

To ensure that new development contributes to an enhanced pedestrian environment by providing for active street frontages.

To ensure that environmentally sustainable design is incorporated into new development.

2.0

24/09/2020
C126bays

Buildings and works

Buildings and works for which no permit is required

A permit is not required for:

- 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 façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if authorised by the relevant public land manager.

Buildings and works requirements

Buildings and works should be generally in accordance with the built form plans of this schedule.

The following design and development requirements apply to an application to construct a building or construct or carry out works.

Building height

A building should not exceed 9 metres above natural ground level and should contain no more than 2 storeys. Building height may extend to 10 metres where the slope of the natural ground level at any cross section of the site of the building wider than 8.0 metres is 2.5 degrees or more.

For the purposes of this schedule, building height within the Special Building Overlay is to be measured from the applicable flood level (to Australian Height Datum) for the site as advised by the floodplain management authority.

Building setback

Primary street frontage

A building should achieve a two storey street wall height with zero setback to the primary street frontage, except for:

- A building at 184 Bluff Road, Black Rock, where the street setback should be consistent with the setback of the adjoining property to the north.

Setbacks from a side or rear boundary

Where a building is adjacent to land in a residential zone, side and rear setbacks should be provided in accordance with the Standard B17 at Clause 55.04-1.

BAYSIDE PLANNING SCHEME

Where a side or rear boundary is separated from a boundary of a property in a residential zone by a laneway, the laneway width can form part of the setback distance at ground floor level.

Buildings in the Keith Street and Widdop Crescent Centre should be constructed to the rear boundary.

Design detail

Buildings should be designed to:

- Provide active street frontages at ground level by:
 - Orienting the front façade of a building and the main entrance to the primary street frontage.
 - Applying clear glazing to windows and entrances, particularly along the primary street frontage.
 - Provide passive surveillance from upper floors to the public realm, including laneways, footpaths and open space.
 - Distinguish key street corners and key street view lines through the following techniques:
 - Variations in parapet detail;
 - Suitable mix of complementary colours and materials;
 - Maintaining activation of ground floor;
 - Maintaining human scale proportions;
 - Incorporating focal points at building entrances;
 - Screening ancillary structures from public view;
 - Wrapping design treatments around building corners.
 - Retain and reinforce the pattern and rhythm of narrow building frontages within the streetscape and maintain human scale proportions.
 - Acknowledge the parapets and roof forms of existing buildings on adjacent lots.
 - Maximise views and connections to nearby public open space.
 - Maximise access to natural light, including orienting offices, habitable room windows and balconies to the northerly aspect where possible.
 - Provide natural ventilation, including cross ventilation where possible.
 - Include external shading of windows where possible.
 - Locate vehicle access to avoid or minimise disruption of pedestrian movement along a street by locating vehicle access to a property from a laneway or secondary street frontage where possible.
 - Car parking should be located within a basement level at the rear of the building, or otherwise screened from view.
 - Create continuous laneway connections where land abuts a no-through access laneway.
 - Ensure developments are sympathetic in their design to the emerging and preferred character of the centre and respond suitably to surrounding residential buildings.
 - Architectural detailing and building form should provide for a balance of horizontal and vertical elements.
 - Utilise laneways as a physical break from new development that is adjacent to residential areas.
-

3.0

24/09/2020
C126bays

Subdivision

None specified.

4.0

24/09/2020
C126bays

Signs

None specified.

5.0

24/09/2020
C126bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02 in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A design response which demonstrates how the development meets the requirements of this schedule.

6.0

24/09/2020
C126bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the layout, siting and design of new development is consistent with the built form plan for the activity centre.
- Whether the development meets the design objectives and detailed design requirements of this schedule.
- Whether the amenity impact on any existing dwelling in a residential zone on an adjacent lot is acceptable.
- Whether the development is able to retain, extend or enhance laneways serving the activity centre.

The following decision guidelines apply to an application for a permit that exceeds the building height requirements of this schedule:

- Whether the development provides a high standard of architectural design and an exemplary design response to the site context and design objectives.
 - Whether the development demonstrates innovative environmental design.
 - Whether the impact of overshadowing to adjoining streets, public spaces and residential properties is acceptable.
 - Whether the development provides appropriate transitions in scale to lower building forms.
-

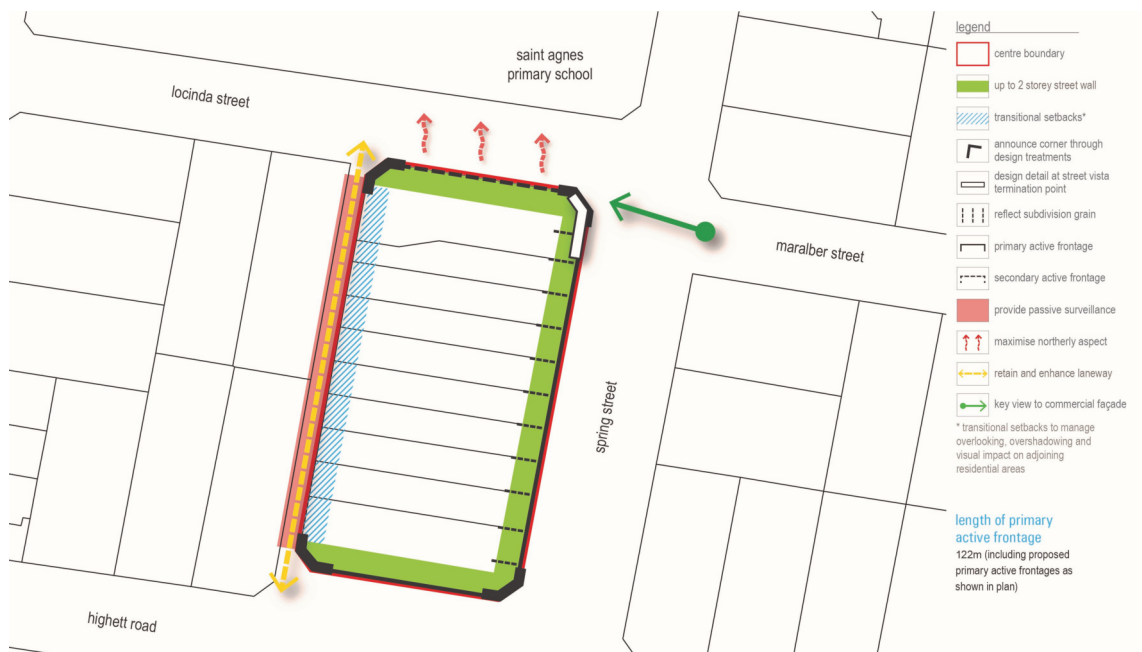
BAYSIDE PLANNING SCHEME

Built form plans

Map 1: Bluff Road and Edward Street Centre (part)



Map 2: Highett Road and Spring Street Centre (Little Highett Village)



BAYSIDE PLANNING SCHEME

Map 3: Ludstone Street Centre

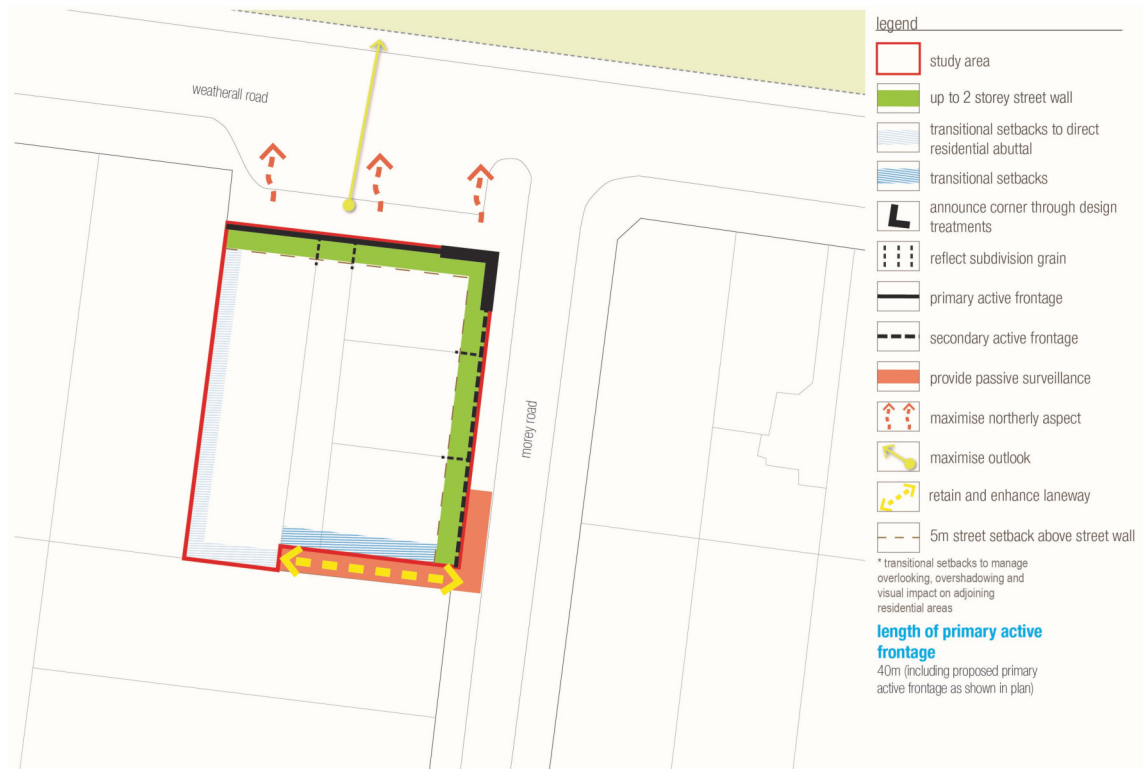


Map 4: Keith Street and Widdop Crescent Centre



BAYSIDE PLANNING SCHEME

Map 5: Weatherall Road and Morey Road Centre



24/09/2020
C126bays

SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO14**.

SMALL NEIGHBOURHOOD ACTIVITY CENTRES AND SMALL COMMERCIAL ACTIVITY CENTRES

1.0

24/09/2020
C126bays

Design objectives

To ensure that new development respects the preferred urban form and building types within the activity centre.

To ensure that new development is designed to provide an appropriate transition to existing low scale residential areas.

To ensure that new development contributes to an enhanced pedestrian environment by providing for active street frontages.

To ensure that environmentally sustainable design is incorporated into new development.

2.0

24/09/2020
C126bays

Buildings and works

Buildings and works for which no permit is required

A permit is not required for:

- 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 façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if authorised by the relevant public land manager.

Buildings and works requirements

Buildings and works should be generally in accordance with the built form plans of this schedule.

The following design and development requirements apply to an application to construct a building or construct or carry out works.

Building height

A building should not exceed 11 metres above natural ground level and should contain no more than 3 storeys. Building height may extend to 12 metres where the slope of the natural ground level at any cross section of the site of the building wider than 8.0 metres is 2.5 degrees or more.

For the purposes of this schedule, building height within the Special Building Overlay is to be measured from the applicable flood level (to Australian Height Datum) for the site as advised by the floodplain management authority.

Building setback

Primary street frontage

A building should achieve a 3 storey street wall height with zero setback to the primary street frontage where a three storey building is proposed, except for:

- A building within the Bay Road and Jack Road Centre, and Brighton Beach Centre should achieve a 2 storey street wall height with a 5 metre setback at the third storey; and
- A building within the Beach Road and Georgiana Street Centre should be set back an appropriate distance from Beach Road to facilitate an improved interface with the streetscape.

Setbacks from a side or rear boundary

BAYSIDE PLANNING SCHEME

Where a building is adjacent to land in a residential zone, side and rear setbacks to residential zoned land should be provided in accordance with the Standard B17 at Clause 55.04-1 except where a street wall height for a secondary street is specified in the built form plan.

Where a side or rear boundary is separated from a boundary of a property in a Residential Zone by a laneway, the laneway width can form part of the setback distance at ground floor level.

Design detail

Buildings should be designed to:

- Provide active street frontages at ground level by:
 - Orienting the front façade of a building and the main entrance to the face of the primary street frontage.
 - Applying clear glazing to windows and entrances, particularly along the primary street frontage.
 - Providing passive surveillance from upper floors to the public realm, including laneways, footpaths and open space.
 - Distinguish key street corners and key street view lines through the following techniques:
 - Variations in parapet detail;
 - Suitable mix of complementary colours and materials;
 - Maintaining activation of ground floor;
 - Maintaining human scale proportions;
 - Incorporating focal points at building entrances;
 - Screening ancillary structures from public view;
 - Wrapping design treatments around building corners.
 - Retain and reinforce the pattern and rhythm of narrow building frontages within the streetscape and maintain human scale proportions.
 - Acknowledge the parapets and roof forms of existing buildings on adjacent lots.
 - Maximise views and connections to nearby public open space.
 - Maximise access to natural light, including orienting offices, habitable room windows and balconies to the northerly aspect where possible.
 - Provide natural ventilation, including cross ventilation where possible.
 - Include external shading of windows where possible.
 - Locate vehicle access to avoid or minimise disruption of pedestrian movement along a street by locating vehicle access to a property from a laneway or secondary street frontage.
 - Car parking should be located within a basement level at the rear of the building, or otherwise screened from view.
 - Create continuous laneway connections where land abuts a no-through access laneway.
 - Ensure developments sympathetic in their design to the emerging and preferred character of the centre and respond suitably to surrounding residential buildings.
 - Architectural detailing and building form should provide for a balance of horizontal and vertical elements.
 - Utilise laneways as a physical break from new development that is adjacent to residential areas.
-

3.0

24/09/2020
C126bays

Subdivision

None specified.

4.0

24/09/2020
C126bays

Signs

None specified.

5.0

24/09/2020
C126bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02 in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A design response which demonstrates how the development meets the requirements of this schedule.

6.0

24/09/2020
C126bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the layout, siting and design of new development is consistent with the built form plan for the activity centre.
- Whether the development meets the design objectives and detailed design requirements of this schedule.
- Whether the amenity impact on any existing dwelling in a residential zone on an adjacent lot is acceptable.
- Whether the development provides an appropriate interface with the streetscape.
- Whether the development creates the new pedestrian thoroughfares outlined in the built form plans.
- Whether the development is able to retain, extend or enhance laneways serving the activity centre.

The following decision guidelines apply to an application for a permit that exceeds the building height requirements of this schedule:

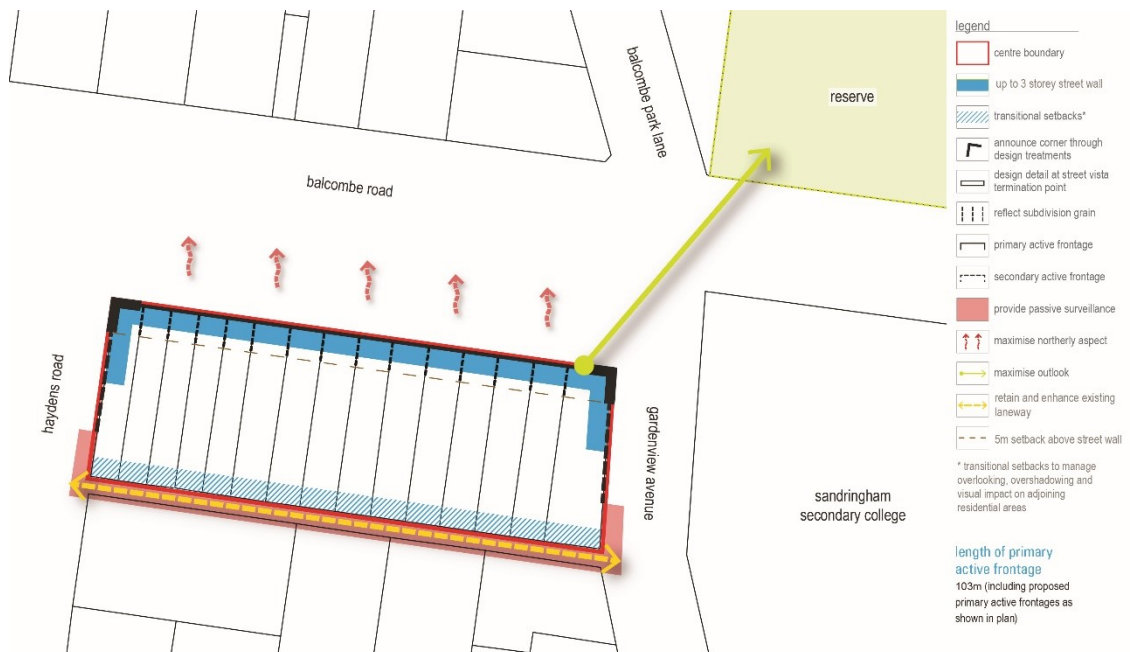
- Whether the development provides a high standard of architectural design and an exemplary design response to the site context and design objectives.
 - Whether the development demonstrates innovative environmental design.
 - Whether the impact of overshadowing to adjoining streets, public spaces and residential properties is acceptable.
 - Whether the development provides appropriate transitions in scale to lower building forms.
-

BAYSIDE PLANNING SCHEME

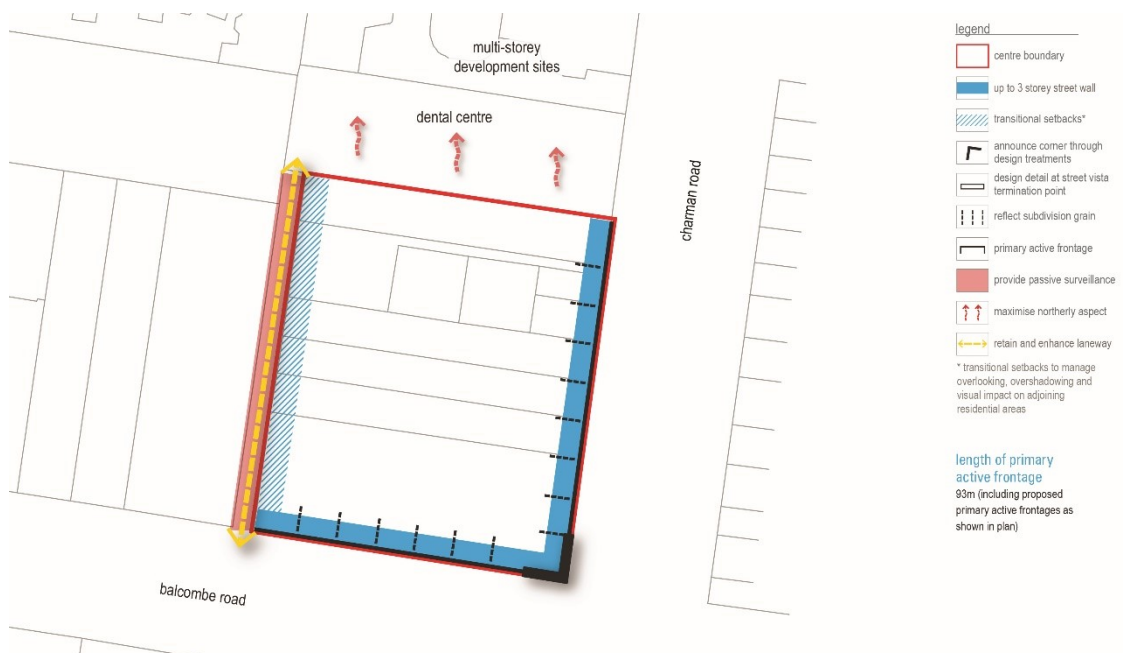
Built form plans

Small Neighbourhood Activity Centres:

Map 1: Balcombe Park Centre



Map 2: Balcombe Road and Charman Road Centre



BAYSIDE PLANNING SCHEME

Map 3: Bay Road and Avoca Street Centre



Map 4: Bay Road and Jack Road Centre



BAYSIDE PLANNING SCHEME

Map 5: Bluff Road and Arranmore Avenue Centre

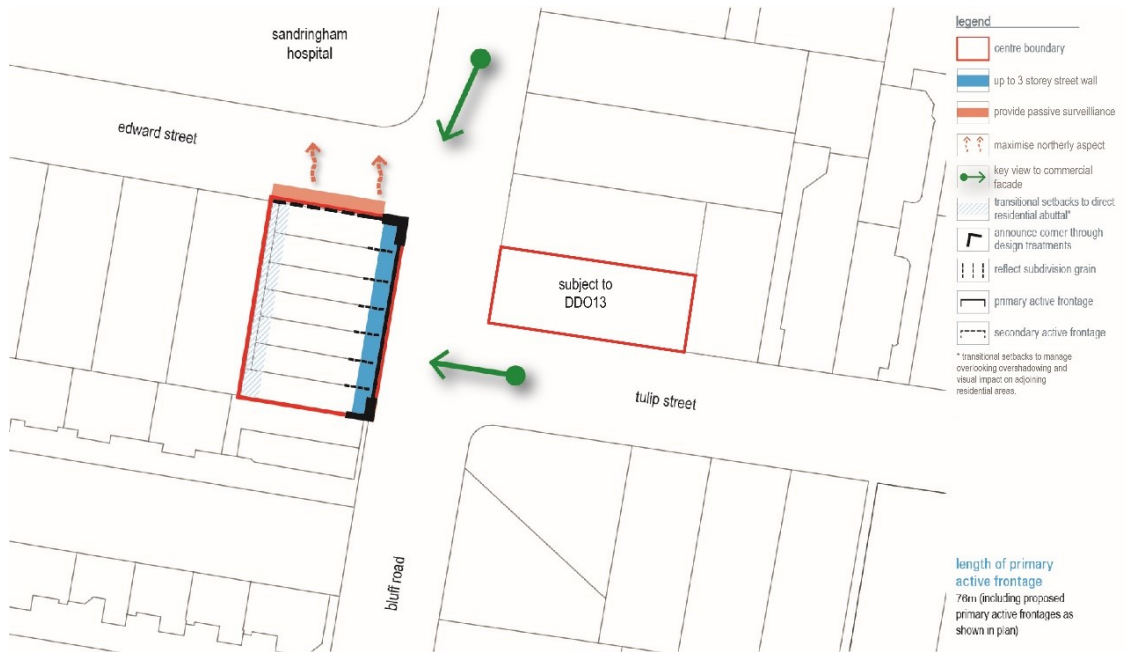


Map 6: Bluff Road and Bay Road Centre



BAYSIDE PLANNING SCHEME

Map 7: Bluff Road and Edward Street Centre



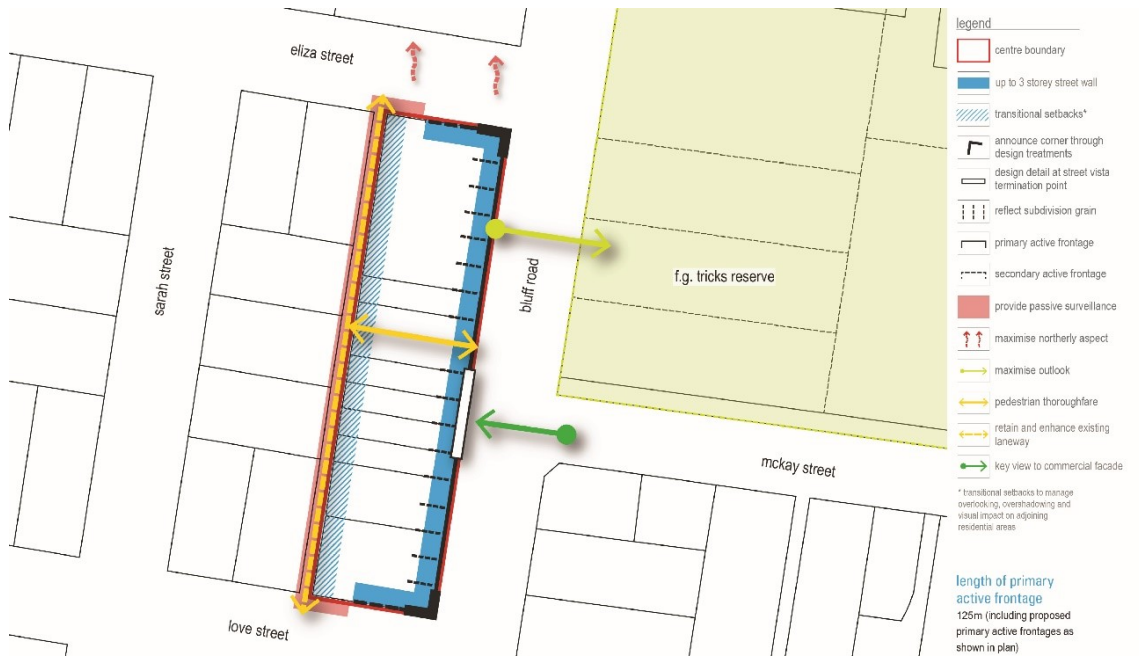
Map 8: Bluff Road and Highett Road Centre

Does not apply to land at 361-371 Bluff Road, Hampton.



BAYSIDE PLANNING SCHEME

Map 9: Bluff Road and Love Street Centre



Map 10: Bluff Road and Spring Street Centre

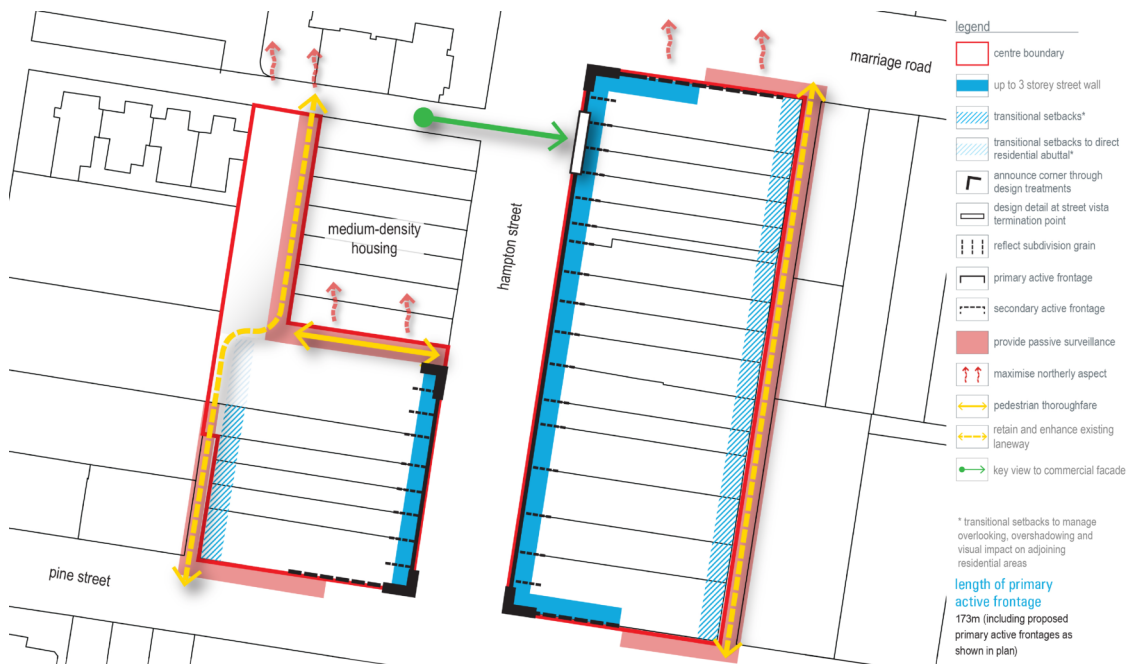


BAYSIDE PLANNING SCHEME

Map 11: Brighton Beach (Were Street) Centre

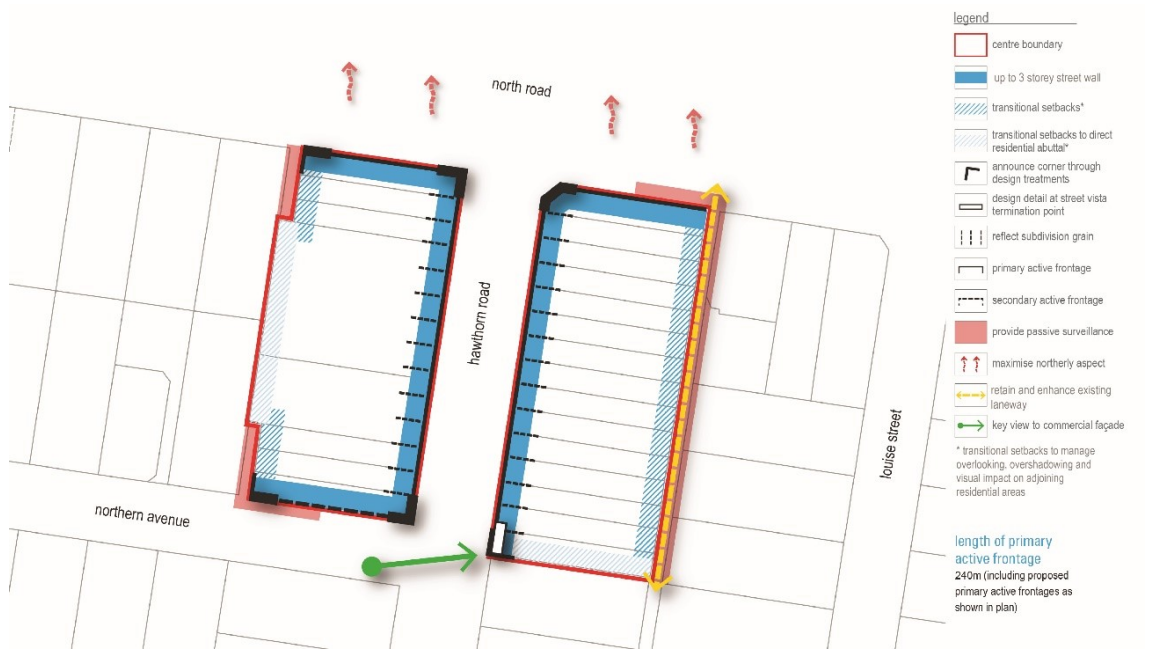


Map 12: Dendy Village

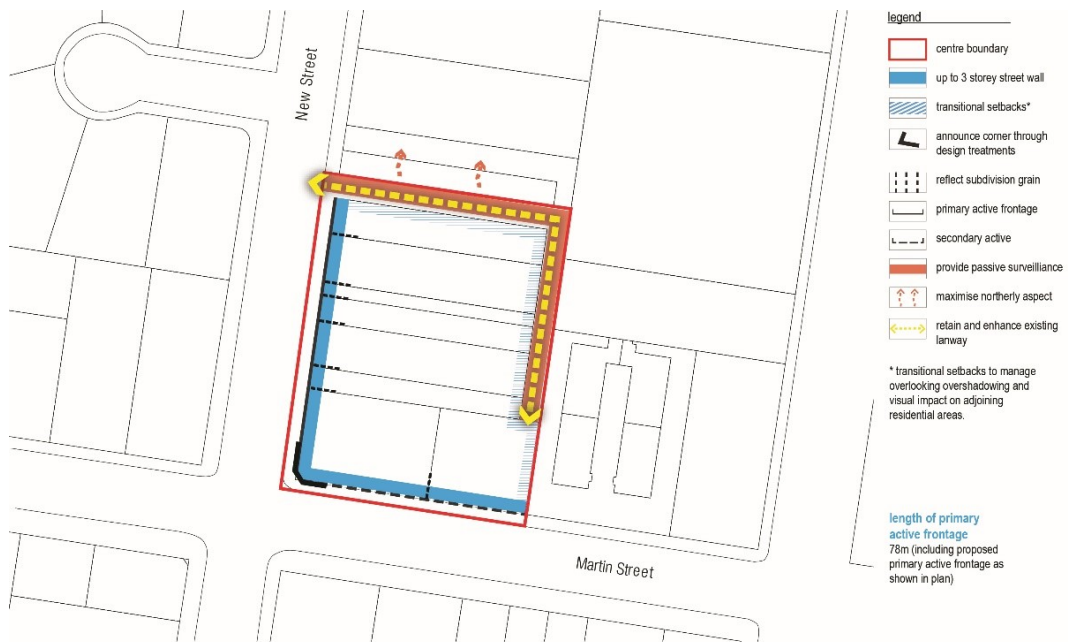


BAYSIDE PLANNING SCHEME

Map 13: Hawthorn Road Centre



Map 14: New Street and Martin Street Centre

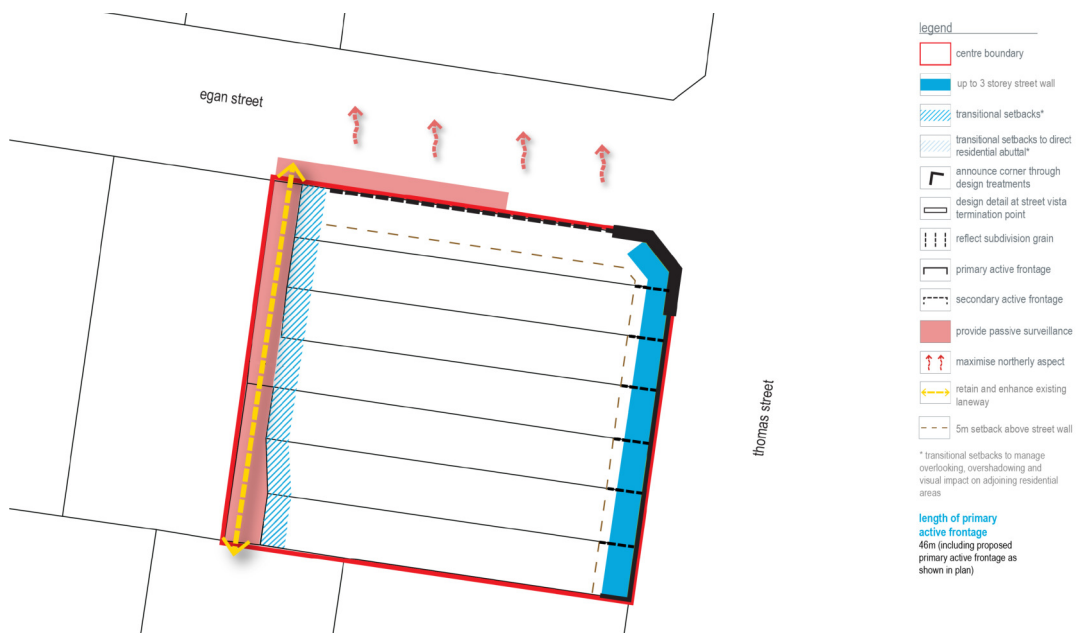


BAYSIDE PLANNING SCHEME

Map 15: Seaview Shopping Centre



Map 16: Thomas Street and Egan Street Centre



BAYSIDE PLANNING SCHEME

Map 17: Weatherall Road Shopping Centre



Small Commercial Activity Centre - Mixed Use

Map 18: Beach Road and Georgina Street Centre



24/09/2020
C126bays

SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

SMALL NEIGHBOURHOOD ACTIVITY CENTRES AND SMALL COMMERCIAL ACTIVITY CENTRES – HIGHWAY ORIENTED

1.0

24/09/2020
C126bays

Design objectives

To ensure that new development respects the preferred urban form and building types within the activity centre.

To ensure that new development is designed to provide an appropriate transition to existing low scale residential areas.

To ensure that new development contributes to an enhanced pedestrian environment by providing for active street frontages.

To ensure that environmentally sustainable design is incorporated into new development.

2.0

24/09/2020
C126bays

Buildings and works

Buildings and works for which no permit is required

A permit is not required for:

- 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 façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if authorised by the relevant public land manager.

Buildings and works requirements

Buildings and works should be generally in accordance with the built form plans of this schedule.

The following design and development requirements apply to an application to construct a building or construct or carry out works.

Building height

Buildings should not exceed 13.5 metres above natural ground level and should contain no more than 4 storeys. Building height may extend to 14.5 metres where the slope of the natural ground level at any cross section of the site of the building wider than 8.0 metres is 2.5 degrees or more. This does not apply to:

- A building in the New Street and Bay Street Centre, which should not exceed a two storey building height along Barkly Street.
- A building in the Nepean Highway and Milroy Street Centre at 357 – 361 Nepean Highway and 2A Cambridge Street, which should not exceed 11 metres (3 storeys) unless consolidated to form a site area of over 600 square metres.
- A building in the Nepean Highway and Centre Road Centre, which is north of Centre Road, which should not exceed 11 metres (3 storeys) unless consolidated to form a site area of over 900 square metres.

For the purposes of this schedule, the building height within the Special Building Overlay is to be measured from the applicable flood level (to Australian Height Datum) for the site as advised by the floodplain management authority.

Building setback

Primary street frontage

A building should achieve 3 storey street wall with zero setback to the primary frontage, with a fourth level recessed from the site boundary. This does not apply to New Street and Bay Street Centre.

Setbacks from a side or rear boundary

Where a side or rear boundary is separated from a boundary of a property in a Residential Zone by a laneway, the laneway width can form part of the setback distance at ground floor level.

Design detail

A building should be designed to:

- Provide active street frontages at ground level through:
 - Orienting the front façade of a building and the main entrance to the face of the primary street frontage.
 - Applying clear glazing to windows and entrances, particularly along the primary street frontage.
 - Provide passive surveillance from upper floors to the public realm, including laneways, footpaths and open space.
 - Distinguish key street corners and key street view lines through the following techniques:
 - Variations in parapet detail;
 - Suitable mix of complementary colours and materials;
 - Maintaining activation of ground floor;
 - Maintaining human scale proportions;
 - Incorporating focal points at building entrances;
 - Screening ancillary structures from public view;
 - Wrapping design treatments around building corners.
 - Retain and reinforce the pattern and rhythm of narrow building frontages within the streetscape and maintain human scale proportions.
 - Acknowledge the parapets and roof forms of existing buildings on adjacent lots.
 - Maximise views and connections to nearby public open space.
 - Maximise access to natural light, including orienting offices, habitable room windows and balconies to the northerly aspect where possible.
 - Provide natural ventilation, including cross ventilation where possible.
 - Include external shading of windows where possible.
 - Locate vehicle access to avoid or minimise disruption of pedestrian movement along a street by locating vehicle access to a property from a laneway or secondary street frontage.
 - Car parking should be located within a basement level at the rear of the building, or otherwise screened from view.
 - Create continuous laneway connections where land abuts a no-through access laneway.
 - Ensure developments sympathetic in their design to the emerging and preferred character of the centre and respond suitably to surrounding residential buildings.
-

- Architectural detailing and building form should provide for a balance of horizontal and vertical elements.
- Utilise laneways as a physical break from new development that is adjacent to residential areas.

3.0

24/09/2020
C126bays

Subdivision

None specified.

4.0

24/09/2020
C126bays

Signs

None specified.

5.0

24/09/2020
C126bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02 in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A design response which demonstrates how the development meets the requirements of this schedule.

6.0

24/09/2020
C126bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the layout, siting and design of new development is consistent with the built form plan for the activity centre.
- Whether the development meets the design objectives and design detail requirements of this schedule.
- Whether the amenity impact of the use or development on any existing dwelling in a residential zone on an adjacent lot.
- Whether the upper floors are recessed.
- Whether the development provides appropriate setbacks to nearby sensitive uses.
- Whether the development creates the new pedestrian thoroughfares outlined in the built form plans.
- Whether the development prevents the ability to extend laneways serving the activity centre.
- •Whether the proposal retains the large ground floor floorplates for commercial development for Nepean Highway centres.

The following decision guidelines apply to an application for a permit that exceeds the building height requirements of this schedule:

- Whether the development provides a high standard of architectural design and an exemplary design response to the site context and design objectives.
 - Whether the development demonstrates innovative environmental design.
 - Whether the impact of overshadowing to adjoining streets, public spaces and residential properties is acceptable.
 - Whether the development provides appropriate transitions in scale to lower building forms.
-

BAYSIDE PLANNING SCHEME

Built form plans

Small Commercial Activity Centres – Highway Oriented:

Map 1: Nepean Highway and Centre Road Centre



Map 2: Nepean Highway and Milroy Street Centre



BAYSIDE PLANNING SCHEME

Map 3: Nepean Highway and Union Street Centre



Small Neighbourhood Activity Centres

Map 4: New Street and Bay Street Centre

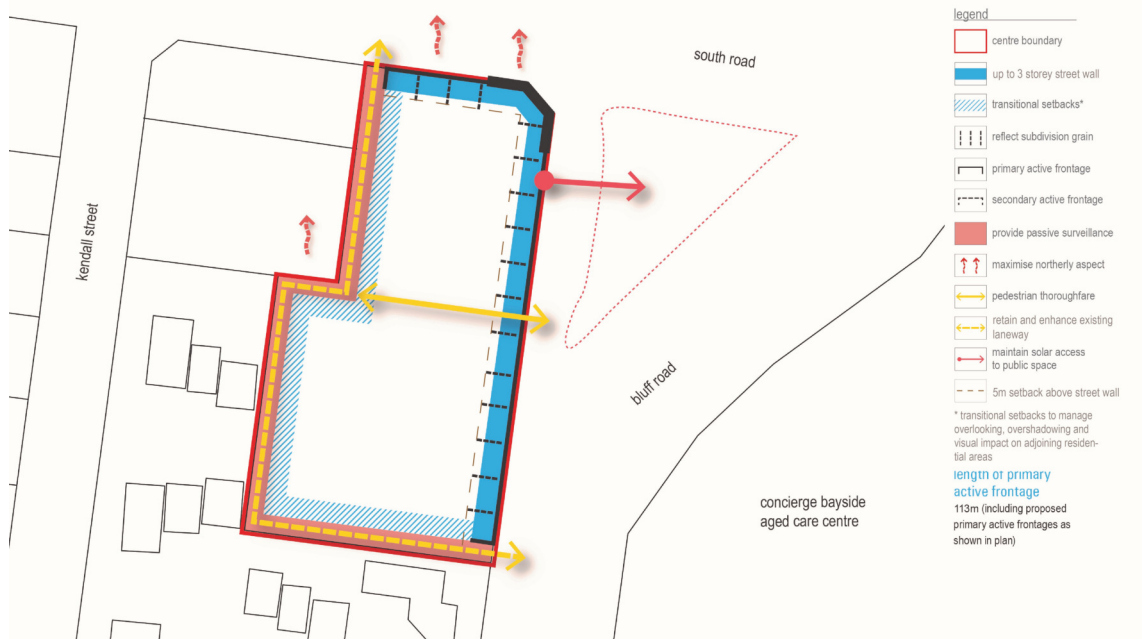


BAYSIDE PLANNING SCHEME

Map 5: Bluff Road and Highett Road Centre (applies to 361-371 Bluff Road, Hampton)



Map 6: South Road Plaza



SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO16**.

EAST BRIGHTON SHOPPING CENTRE – SMALL NEIGHBOURHOOD ACTIVITY CENTRE**1.0**24/09/2020
C126bays**Design objectives**

To ensure that new development respects the preferred urban form and building types within the activity centre.

To ensure that new development is designed to provide an appropriate transition to and interface with adjoining and nearby residential development and heritage properties.

To ensure that new development contributes to safe and active streets with prioritised pedestrian environments.

To ensure that environmentally sustainable design is incorporated into new development.

2.024/09/2020
C126bays**Buildings and works****Buildings and works for which no permit is required**

A permit is not required for the construction of:

- 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 façade at ground floor level is maintained as an entry window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

Buildings and works requirements

Buildings and works should be generally in accordance with the built form plan of this schedule.

The following design and development requirements apply to an application to construct a building or construct or carry out works.

Building height

A building should not exceed the preferred maximum building height and must not exceed the mandatory maximum building height specified in Table 1. A permit cannot be granted to vary the mandatory maximum building height requirements specified.

Table 1: Building heights

Precinct on Map 1	Preferred maximum building height	Mandatory maximum building height
A	11 metres (3 storeys)	-
B	9 metres (2 storeys)	-
C	11 metres (3 storeys)	13.5 metres (4 storeys)
D	-	9 metres (2 storeys)

Building setback***Primary street frontage***

A building should achieve a 2 storey street wall height with zero setback to the primary street frontage. This does not apply to Precinct C of Map 1, which should achieve a 3 storey street wall height.

Setbacks from a side or rear boundary

Where a building is adjacent to land in a residential zone, side and rear setbacks should be provided in accordance with the Standard B17 at Clause 55.04-1.

Where a side or rear boundary is separated from a boundary of a property in a Residential Zone by a laneway, the laneway width can form part of the setback distance at ground floor level.

For land on the eastern side of Hawthorn Road, a building must be set back from the boundary of 1 Clive Street, Brighton East, a minimum of:

- 3.5 metres at ground floor level.
- 5.5 metres at first floor level.

A permit cannot be granted to vary this requirement,

Design detail

Buildings should be designed to:

- Provide active street frontages at ground level by:
 - Orienting the front façade of a building and the main entrance to the face of the primary street frontage.
 - Applying clear glazing to windows and entrances, particularly along the primary street frontage.
 - Provide passive surveillance from upper floors to the public realm.
 - Storeys above the preferred street wall height should be visually recessed.
 - Distinguish key street corners and key street view lines through the following techniques:
 - Variations in parapet detail;
 - Suitable mix of complementary colours and materials;
 - Maintaining activation of ground floor;
 - Maintaining human scale proportions;
 - Incorporating focal points at building entrances;
 - Screening ancillary structures from public view;
 - Wrapping design treatments around building corners.
 - Retain and reinforce the pattern and rhythm of narrow building frontages within the streetscape and maintain human scale proportions.
 - Acknowledge the parapets and roof forms of existing buildings on adjacent lots.
 - Maximise surveillance of the public realm.
 - Maximise access to natural light, including orienting offices, habitable room windows and balconies to the northerly aspect where possible.
 - Provide natural ventilation, including cross ventilation where possible.
 - Include external shading of windows where possible.
 - Locate vehicle access to avoid or minimise disruption of pedestrian movement along a street by locating vehicle access to a property from a laneway or secondary street frontage where possible.
-

BAYSIDE PLANNING SCHEME

- Car parking should be located within a basement level at the rear of the building, or otherwise screened from view.
- Architectural detailing and building form should provide for a balance of horizontal and vertical elements.
- Utilise laneways as a physical break from new developments that are adjacent to residential areas.

3.0

24/09/2020
C126bays

Subdivision

None specified.

4.0

24/09/2020
C126bays

Signs

None specified.

5.0

24/09/2020
C126bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02 in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A design response which demonstrates how the development meets the requirements of this schedule.

6.0

24/09/2020
C126bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the layout, siting and design of new development is consistent with the built form plan for the activity centre.
- Whether the development meets the design objectives and detailed design requirements of this schedule.
- Whether the amenity impact on any existing dwelling in a residential zone on an adjacent lot is acceptable.
- Whether the proposal has a detrimental impact on the 'Otley' property at 1 Clive Street, Brighton East.
- Whether the development creates the new pedestrian thoroughfares outlined in the built form plan.

The following decision guidelines apply to an application for a permit that exceeds the preferred building height requirements of this schedule:

- Whether the development provides a high standard of architectural design and an exemplary design response to the site context and design objectives.
 - Whether the development demonstrates innovative environmental design.
 - Whether the impact of overshadowing to adjoining streets, public spaces and residential properties is acceptable.
 - Whether the development provides appropriate transitions in scale to lower building forms.
-

BAYSIDE PLANNING SCHEME

Built form plan

Map 1: East Brighton Shopping Centre - Small Neighbourhood Activity Centre



24/09/2020
C126bays

SCHEDULE 17 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO17**.

SMALL NEIGHBOURHOOD ACTIVITY CENTRES

1.0

24/09/2020
C126bays

Design objectives

To ensure that the scale and form of new development is compatible with the role and function of the centre.

To respond to and enhance the foreshore environment of Port Phillip Bay.

To ensure that new development is designed to provide an appropriate transition to existing low scale residential areas.

To ensure that new development contributes to an enhanced pedestrian environment by providing for active street frontages.

To ensure that environmentally sustainable design is incorporated into new development.

2.0

24/09/2020
C126bays

Buildings and works

Buildings and works for which no permit is required

A permit is not required for the construction of:

- 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 façade at ground floor level is maintained as an entry window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

Buildings and works requirements

Buildings and works should be generally in accordance with the built form plans of this schedule.

The following design and development requirements apply to an application to construct a building or construct or carry out works.

Building height

A building must not exceed 11 metres above natural ground level and must contain no more than 3 storeys. A permit cannot be granted to vary this requirement.

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.

For the purposes of this schedule, building height within the Special Building Overlay is to be measured from the applicable flood level (to Australian Height Datum) for the site as advised by the floodplain management authority.

Non-structural elements and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment may exceed the maximum building height where designed to the satisfaction of the responsible authority.

Building setback

Primary street frontage

A building should achieve a 3 storey street wall height with zero setback to the primary street frontage.

Setbacks from a side or rear boundary

Where a building is adjacent to land in a residential zone, side and rear setbacks should be provided in accordance with the Standard B17 at Clause 55.04-1 except where a street wall height for a secondary street is specified in the built form plans.

Where a side or rear boundary is separated from a boundary of a property in a residential zone by a laneway, the laneway width can form part of the setback distance at ground floor level.

A third storey is should be recessed or set back at least 5 metres from the front boundary.

Design detail

Buildings should be designed to:

- Provide active street frontages at ground level by:
 - Orienting the front façade of a building and the main entrance to the face of the primary street frontage.
 - Applying clear glazing to windows and entrances, particularly along the primary street frontage.
 - Provide passive surveillance from upper floors to the public realm, including laneways, footpaths and open space.
 - Distinguish key street corners and key street view lines through the following techniques:
 - Variations in parapet detail;
 - Suitable mix of complementary colours and materials;
 - Maintaining activation of ground floor;
 - Maintaining human scale proportions;
 - Incorporating focal points at building entrances;
 - Screening ancillary structures from public view;
 - Wrapping design treatments around building corners.
 - Retain and reinforce the pattern and rhythm of narrow building frontages within the streetscape and maintain human scale proportions.
 - Acknowledge the parapets and roof forms of existing buildings on adjacent lots.
 - Maximise views and connections to nearby public open space.
 - Maximise access to natural light, including orienting offices, habitable room windows and balconies to the northerly aspect where possible.
 - Provide natural ventilation, including cross ventilation where possible.
 - Include external shading of windows where possible.
 - Locate vehicle access to avoid or minimise disruption of pedestrian movement along a street by locating vehicle access to a property from a laneway or secondary street frontage.
 - Car parking should be located within a basement level at the rear of the building, or otherwise screened from view.
 - Create continuous laneway connections where land abuts a no-through access laneway.
 - Architectural detailing and building form should provide for a balance of horizontal and vertical elements.
 - Utilise laneways as a physical break from new developments that are adjacent to residential areas.
-

3.0

24/09/2020
C126bays

Subdivision

None specified.

4.0

24/09/2020
C126bays

Signs

None specified.

5.0

24/09/2020
C126bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02 in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A neighbourhood and site description and design response which demonstrates how the development meets the requirements of this schedule.

6.0

24/09/2020
C126bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the layout, siting and design of new development is consistent with the built form plans for the activity centre.
 - Whether the development meets the design objectives and detailed design requirements of this schedule.
 - Whether the amenity impact on any existing dwelling in a residential zone on an adjacent lot, including parking, traffic or building form is acceptable.
 - The impact of the proposal on any adjoining heritage place.
 - Whether the development provides appropriate setbacks to nearby sensitive uses.
 - Whether the development creates the new pedestrian thoroughfares outlined in the urban form concept plans.
 - Whether the development prevents the ability to extend laneways serving the activity centre.
-



12/09/2019
C152bays

SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO18**.

MARTIN STREET NEIGHBOURHOOD ACTIVITY CENTRE

1.0

12/09/2019
C152bays

Design objectives

To preserve and enhance the neighbourhood scale, valued heritage character and village atmosphere of the Martin Street Neighbourhood Activity Centre.

To ensure the scale and form of new development is compatible with the future role of the centre and provides an appropriate transition to existing low scale residential areas.

To retain the amenity of existing low scale residential areas that adjoin the centre by minimising visual bulk, overshadowing and overlooking impacts.

To ensure new development in the commercial area contributes to an enhanced pedestrian environment by providing for active street frontages and limited vehicle access from Martin Street.

2.0

12/09/2019
C152bays

Buildings and works

Buildings and works for which no permit is required

A permit is not required to construct a building or construct or carry out works for any of the following:

- Navigational beacons and aids.
- A radio mast.
- A television mast associated with a building.
- Alterations 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 façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road is authorised by the relevant public land manager.
- A permit is not required to construct or extend one dwelling on a lot, or construct or carry out works associated with one dwelling on a lot (except for a roof deck), if any of the following apply:
 - The building height is no more than 9 metres.
 - The building height is no more than 10 metres, 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.

Meaning of terms

For the purposes of this schedule, an ‘attic’ means a space within a building contained wholly within the roof pitch, which is not immediately enclosed by vertical external walls and may contain dormer windows, recessed windows, or skylights and does not contribute materially to the scale and mass of the building form. The following factors are indicative of an attic:

- A space which is wholly contained / enclosed within a roof space.
 - A space which is not bordered by any external walls except gable walls.
 - A space which is relatively small in scale in relation to the scale of the remaining built form.
 - The presence of dormer style windows or skylights.
-

BAYSIDE PLANNING SCHEME

- A space that does not contribute significantly to the building form.
- A space or series of spaces which in total occupy an area no greater than half the floor of the storey below.

For the purposes of this schedule, a ‘dormer style window’ is defined as a projecting construction designed to provide natural lighting to attic spaces, comprising a vertical window with its own pitched roof, gable and side walls, framed into a larger sloping roof.

For the purposes of this schedule, a ‘roof deck’ means an area designed and used as private open space that is located above the upper storey of a building.

Buildings and works requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works.

Building height

Development (including roof decks and their associated structures) in a commercial zone should not exceed the preferred maximum building heights specified Table 1.

Table 1: Preferred maximum building heights in a commercial zone

Precinct on Map 1	Preferred maximum building height
A	17 metres (5 storeys)
B	14 metres (4 storeys)
C	11 metres (3 storeys)
E	9 metres (2 storeys)

Building setback

Where the site is in a Heritage Overlay, a set back of 5 metres from the frontage should be provided:

- At second storey and above for existing single-storey buildings.
- At third storey and above for existing double-storey buildings.

Development in a commercial zone should not exceed the preferred street and side setbacks specified in Table 2.

Table 2: Preferred street and side setbacks in a commercial zone

Storey	Preferred street setback	Preferred side setback
Third storey and below	0 metres	0 metres
Fourth storey and above	3 metres	0 metres

Siting and amenity

Where the site abuts land in a residential zone, the relevant Objectives and Standards of Clause 55 should be met.

Building frontages

Development in a commercial zone should:

- Present a fine grained, human scale to streets.
- Provide active street frontages with shopfronts at street level.

BAYSIDE PLANNING SCHEME

- Protect and enhance the heritage significance of commercial areas by recessing upper levels and ensuring that the design detail and materials.
- Ensure corner sites are designed to address both street frontages with shopfront windows at street level.

Vehicle access

Development should:

- Design and locate vehicle access to avoid or minimise disruption to pedestrian movement along a street.
- Locate vehicle access to a property from an existing laneway or a secondary street frontage.
- Provide for key laneways to be widened to 5.5 metres if new buildings are constructed abutting the laneway.

Landscape and environment

Development should:

- Contribute to an improved streetscape and pedestrian amenity along Martin Street and Nepean Highway.
- Provide signage that respects the building style and scale, and the character of the street.
- Ensure that signage fits within architectural forms along the street and is appropriately integrated with the design of the building.

Roof decks

Roof decks in a residential zone should:

- Be designed and constructed of materials that integrate with the architectural style and form of the building.
- Not include any permanent or moveable structure or element that will increase the visual bulk of the building, including pergolas, verandahs, shelters and storage areas.
- Be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings.
- Not include any structures or elements that exceed a height of 1.7 metres, apart from an access structure, measured from floor level at the point of access onto the roof deck.
- Be accessed by a structure that is designed and located to have minimal impact on the street and adjoining properties, does not enclose any useable floor space and does not exceed 2.4 metres in height (measured from floor level at the point of access onto the roof deck).
- Be constructed so that the deck floor level is no greater than 1 metre above the lower ceiling face of the storey immediately below.

3.0

12/09/2019
C152bays

Subdivision

None specified.

4.0

12/09/2019
C152bays

Signs

None specified.

5.0

12/09/2019
C152bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A neighbourhood and site description and design response which demonstrates how the development meets the requirements of this schedule.

6.0

12/09/2019
C152bays

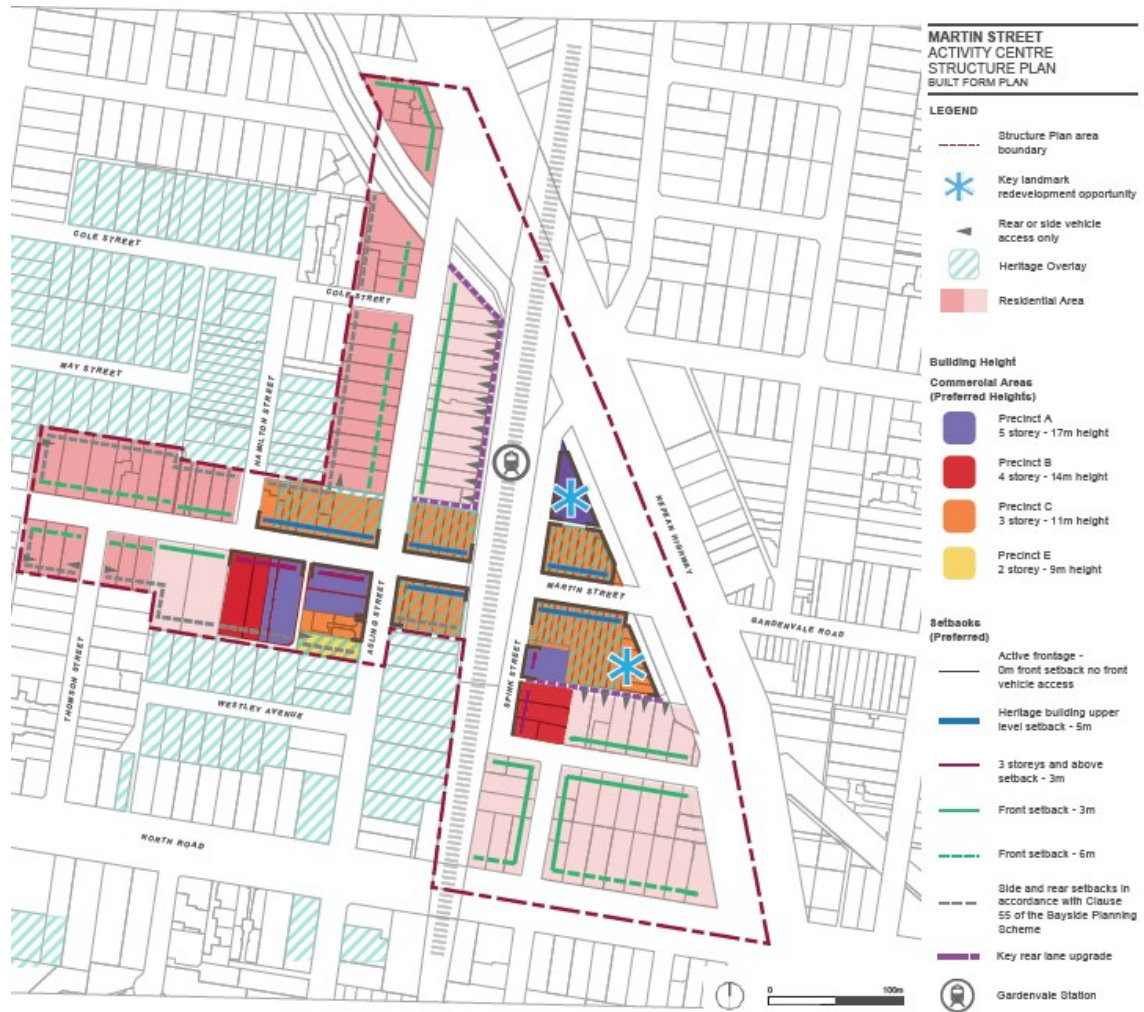
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the design and layout of a building supports provision of shop top housing above ground floor level.
 - Whether the amenity impact on any existing dwelling on an abutting property in a Residential Zone and/or Heritage Overlay is acceptable, particularly daylight access, solar access, overshadowing, overlooking and visual bulk.
 - Whether the impact of upper levels of the building on surrounding residential land is acceptable.
 - Whether the impact of development on the heritage significance of the area is acceptable.
 - Whether the development provides the required rate of car parking and bicycle facilities without compromising the streetscape.
 - Whether the development impacts on the potential to widen or enhance existing key laneways.
 - Whether the development provides a high standard of architectural design and an exemplary design response to the site context and design objectives.
 - Whether the development demonstrates innovative environmental design.
 - Whether the impact of overshadowing to adjoining streets, public spaces and residential properties is acceptable.
 - Whether the development provides appropriate transitions in scale to lower building forms.
-

BAYSIDE PLANNING SCHEME

Map 1: Martin Street Structure Plan Built Form Plan



SCHEDULE 19 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO19**.

SOUTH ROAD AND ESPLANADE SMALL COMMERCIAL ACTIVITY CENTRE – MIXED USE**1.0**24/09/2020
C126bays**Design objectives**

To ensure that the scale and form of new development is compatible with the role and function of the centre.

To ensure that new development is designed to provide an appropriate transition to existing low scale residential areas.

To ensure that new development contributes to an enhanced pedestrian environment by providing for active street frontages.

To ensure that environmentally sustainable design is incorporated into new development.

2.024/09/2020
C126bays**Buildings and works****Buildings and works for which no permit is required**

A permit is not required for:

- 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 façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if authorised by the relevant public land manager.

Buildings and works requirements

Buildings and works should be generally in accordance with the built form plan of this schedule.

The following design and development requirements apply to an application to construct a building or construct or carry out works.

Building height

A building must not exceed the mandatory maximum height specified in Table 1 of this schedule. A permit cannot be granted to vary this requirement.

Table 1: Building height

Precinct on Map 1	Maximum mandatory building height
A	13.5 metres (4-storeys)
B	11 metres (3 storeys)

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.

Non-structural elements and service equipment including plant rooms, lift overruns, structures associated with green roof areas and other such equipment may exceed the maximum building height where designed to the satisfaction of the responsible authority.

Building setback

A building should achieve a three storey street wall height with zero setback to the primary street frontage.

New buildings adjacent to the heritage building at 2-6 Esplanade should incorporate setbacks which are sympathetic to the significance and character of the building.

Design detail

Buildings should be designed to:

- Provide active street frontages at ground level by:
 - Orienting the front façade of a building and the main entrance to face the primary street frontage.
 - Applying clear glazing to windows and entrances, particularly along the primary street frontage.
 - Providing passive surveillance from upper floors to the public realm.
- Distinguish key street corners and key street view lines through the following techniques:
 - Variations in parapet detail;
 - Suitable mix of complementary colours and materials;
 - Maintaining activation of ground floor;
 - Passive surveillance opportunities from upper floors;
 - Maintaining human scale proportions;
 - Incorporating focal points at building entrances;
 - Screening ancillary structures from public view;
 - Wrapping design treatments around building corners.
- Retain and reinforce the pattern and rhythm of narrow building frontages within the streetscape and maintain human scale proportions.
- Acknowledge the parapets and roof forms of existing buildings on adjacent lots.
- Maximise views and connections to nearby public open space.
- Maximise access to natural light, including orienting offices, habitable room windows and balconies to the northerly aspect where possible.
- Provide natural ventilation, including cross ventilation where possible.
- Include external shading of windows where possible.
- Locate vehicle access to avoid or minimise disruption of pedestrian movement along a street by locating vehicle access to a property from a laneway or secondary street frontage.
- Car parking should be located within a basement level at the rear of the building, or otherwise screened from view.
- Architectural detailing and building form should provide for a balance of horizontal and vertical elements.

3.0

24/09/2020
C126bays

Subdivision

None specified.

4.0

24/09/2020
C126bays

Signs

None specified.

5.0

24/09/2020
C126bays

Application requirements

The following application requirements apply to an application for a permit under Clause 43.02 in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A design response which demonstrates how the development meets the requirements of this schedule.

6.0

24/09/2020
C126bays

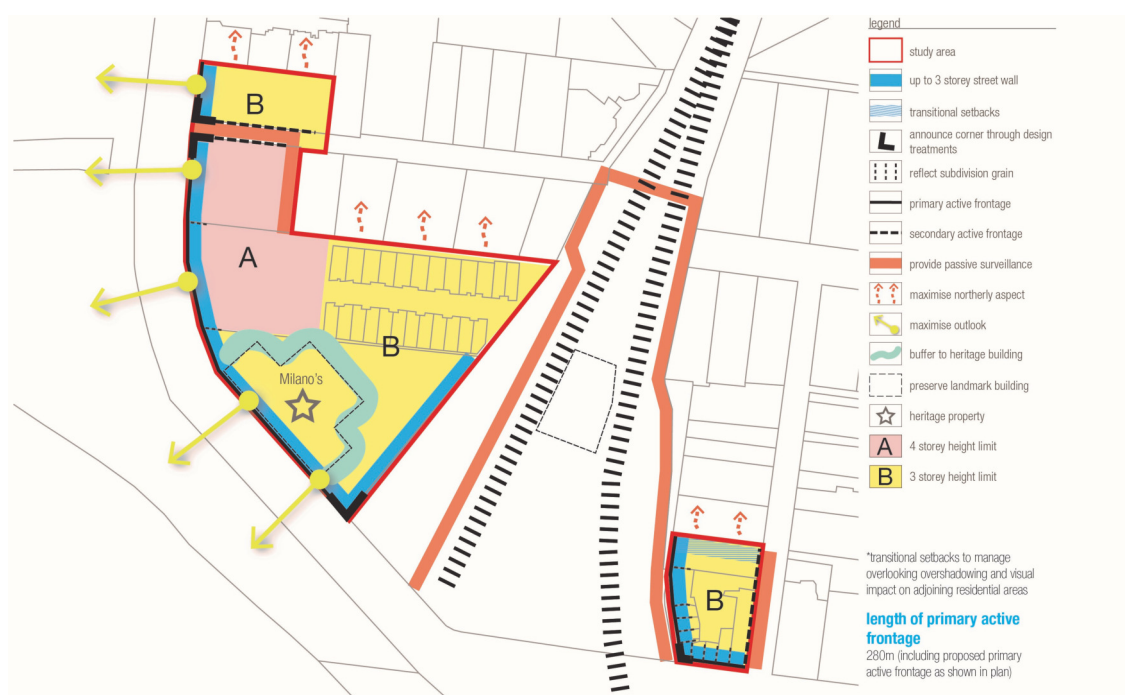
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the layout, siting and design of new development is consistent with the built form plan for the activity centre.
- The impact of the development on any existing dwelling in a residential zone on an adjacent lot, including parking, traffic or building form.
- The impact of the proposal on any adjoining heritage places.
- Whether the development provides appropriate setbacks to nearby sensitive uses.

Built form plan

Map 1: South Road and Esplanade Centre



43.04

31/07/2018
VC148

DEVELOPMENT PLAN OVERLAY

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

Purpose

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

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

43.04-1

31/07/2018
VC148

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

43.04-2

31/07/2018
VC148

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

43.04-3

31/07/2018
VC148

Exemption from notice and review

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.04-4

25/02/2025
VC257

Preparation of the development plan

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Housing Choice and Transport Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.

04/02/2021
C168bays

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

JACK ROAD AND CHARLTON AVENUE DEVELOPMENT PRECINCT

1.0

04/02/2021
C168bays

Objectives

None specified.

2.0

04/02/2021
C168bays

Requirement before a permit is granted

A permit may be granted to carry out works before a development plan has been prepared to the satisfaction of the responsible authority provided the responsible authority is satisfied that the works are necessary to the ongoing management of the land and preparation of the site and will not prejudice the future use or development of the land in an integrated manner.

3.0

04/02/2021
C168bays

Conditions and requirements for permits

A permit to develop and/or subdivide the land must include the following conditions:

- An acoustic fence must be erected along the northern boundary of the site to a minimum height of 2.4 metres above the natural ground level. The design of the fence must be prepared by a suitably qualified acoustic engineer and incorporate any relevant acoustic mitigation measures identified by the acoustic assessment. The details of the design and acoustic qualities of the fence must be to the satisfaction of the responsible authority. All costs relating to the design and erection of the acoustic fence are to be borne by the land owner/applicant.
- A landscape buffer must be provided along the northern boundary of the site with a minimum width of 2.4 metres. The landscape buffer must be responsive to the location, nature and amenity of abutting land uses and designed to the satisfaction of the responsible authority.

4.0

04/02/2021
C168bays

Requirements for development plan

The development plan must demonstrate how the following objectives for the Jack Road and Charlton Avenue Development Precinct will be achieved.

Jack Road and Charlton Avenue Development Precinct Objectives:

- To contribute to the Bayside Business Employment Area.
 - To achieve the integrated development of the site.
 - To prevent industrial and commercial vehicle access onto Jack Road and improve access through the Bayside Business Employment Area through the provision of a new north-south road to connect the southern end of Chandos Avenue to Charlton Avenue.
 - To improve the interface between existing residential and commercial uses in the vicinity of Jack Road.
 - To provide appropriate transitions to surrounding properties through the graduation of built form.
 - To achieve a high level of contemporary architectural expression and design standards for all development.
 - To provide high quality open space network that enhances the amenity of the precinct for residents, businesses and visitors.
-

BAYSIDE PLANNING SCHEME

- To provide an integrated pedestrian and vehicle network that facilitates connectivity and efficient movements throughout the site.
- To incorporate best practice Environmental Sustainable Design features in the built form and landscape design.

A development plan must show or include the following information to the satisfaction of the responsible authority:

Urban Context and Site Analysis

To include:

- Regional and strategic context.
- Existing urban character analysis, including landscape features, topography and significant vegetation.
- Access and movement analysis detailing existing and proposed vehicle (residential, commercial and service vehicle) movements.
- View analysis.
- Location of public transport infrastructure.
- Details on how an integrated development will be achieved that improves and complements the existing urban character and surrounding land uses.

Land Use

The development plan must show or make provision for:

- The use of the site for residential, home office, small scale retailing, office and other small scale commercial uses that will contribute to the creation of sustainable, active, mixed use environments, generally in line with the Land Use Precinct Plan shown at Map 1.
- A range of small scale retail uses that cater to the needs of new residents on the site and which support the surrounding business precinct.
- The arrangement of uses across the site should allow for some areas of interaction between uses and some areas of separation.
- Active frontages at ground level for office, home office or small scale retailing uses along the new north-south road that will connect the southern end of Chandos Avenue to Charlton Avenue, generally in line with the Land Use Precinct Plan shown at Map 1.
- Residential access along the new north-south road that will connect the southern end of Chandos Avenue to Charlton Avenue should be discouraged.

Built Form and Public Realm

The development plan must show or make provision for:

- Appropriate landscape buffers and/or transitional treatments along all boundaries to the precinct and where a change in land use occurs, to ensure the future residential amenity on the site is not adversely impacted by the ongoing operation of abutting non-residential uses.
 - Conceptual building envelopes and the general layout and height of proposed buildings, showing the graduation of built form from one to two storeys at the residential interface with Jack Road rising to a maximum of five storeys towards the central and western portions of the site.
 - Detail on the proposed contemporary architectural expression including design philosophy, use of contemporary materials and finishes and building articulation.
 - A contribution of 5 per cent public open space.
-

BAYSIDE PLANNING SCHEME

- Design and interface treatments of public open space including the response to surrounding buildings.
- An explanation of how the development will improve the interface with adjoining areas with particular attention given to Jack Road and Charlton Avenue.
- The proposed design concept for all streetscapes, public realm areas and landscape buffers / interfaces with abutting land uses. The proposed treatments must be responsive to the location, nature and amenity of abutting land uses.

Movement and Access

The development plan must show or make provision for:

- The provision of appropriate vehicle and pedestrian linkages that support the development's integration with the surrounding area and local public transport networks.
- Proposed road layout, including a new north-south road through the precinct, and the requirement that commercial and industrial traffic utilise this connection instead of Jack Road.
- The road layout will be designed in a manner that prevents vehicle movement between the new north-south road and Jack Road.
- In addition to the new north-south road that will connect the southern end of Chandos Avenue to Charlton Avenue, vehicular access to the site from Charlton Avenue is to be limited to no more than two access points.
- The provision of functional and safe bicycle and pedestrian linkages through the precinct.
- The provision of convenient lockable bicycle storage facilities.

A traffic report must be prepared by a suitably qualified traffic engineer and include the following:

- Proposed road cross-sections.
- Traffic movements to and from the site and the impact of traffic on neighbouring streets.
- Bicycle and pedestrian links through the precinct.
- On street and off street parking provision.
- How new road infrastructure requirements will be delivered.
- A traffic management plan for the proposed development.

Environmentally Sustainable Development Guidelines

To include:

- An assessment of the development against the Sustainable Design Scorecard and/or Sustainable Tools for Environmental Performance (STEPS). The development should achieve compliance with the Sustainable Design Scorecard as expressed within the Sustainable Design Scorecard Tool or meet the STEPS targets (if for residential development). If a designer or developer wishes to go beyond compliance with the Sustainable Design Scorecard/STEPS, alternative industry methodologies, such as GreenStar for office buildings, would be considered by Council in lieu of the Sustainable Design Scorecard/STEPS.
 - How the orientation and layout of the development makes appropriate use of daylight and solar energy.
 - Water sensitive urban design solutions for managing storm water discharge throughout the site including public areas and roads and consideration of the potential for diverting storm water for reuse off-site.
 - Incorporation of rain water tanks into the design to capture and store rain water for use in private gardens and public open space within the development.
 - Provision of energy efficient public lighting.
-

Additional information required:

- A landscape concept masterplan.
- An infrastructure servicing report prepared by a qualified consultant addressing the future servicing and infrastructure requirements of the development.
- An acoustic assessment (prepared at the cost of the applicant/land owner) by a qualified acoustic engineer which provides a noise assessment of existing industrial / commercial uses immediately abutting the precinct and recommends appropriate noise attenuation measures for any proposed residential uses.
- Details of any proposed staging of the development.
- Details on the proposed funding arrangements for the new north-south road.

5.0

Decision guidelines

In assessing a development plan or amendment to a development plan the responsible authority should consider:

- The purpose of the zone.
 - How the proposal contributes to the objectives of the Business Employment Area Policy (Clause 22.04).
 - Clause 56 of the Bayside Planning Scheme.
 - The findings of the site analysis.
 - Interfaces with adjacent uses.
 - The character and appearance of any proposed buildings or works and their impact on the character and amenity of surrounding use and development.
 - The operational requirements of surrounding industrial and commercial uses.
 - The layout of car parking and accessways.
 - Any written comments received in response to the display of the development plan.
-

BAYSIDE PLANNING SCHEME

Map 1 to Schedule 1 to Clause 43.04

Figure 1

Land Use Precinct Plan

JACK ROAD, CHELTENHAM



30/06/2020
C162bays

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

FORMER CSIRO SITE, HIGHTETT

1.0

30/06/2020
C162bays

Objectives

To redevelop the former CSIRO Hightett site in an integrated manner with surrounding land uses.

To provide a high-quality open space network and conservation area.

To contribute to the housing diversity within the area by providing a range of dwelling types and densities, including affordable housing.

To demonstrate high quality building and landscape design that implements environmentally sustainable design principles.

To provide for safe and efficient traffic and pedestrian networks that integrate with the surrounding neighbourhood

2.0

30/06/2020
C162bays

Requirement before a permit is granted

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority for the following:

- Any buildings and works associated with the remediation of the land in accordance with or for the purpose of obtaining a certificate or statement of environmental audit under the Environmental Protection Act 1970.
- Minor buildings or works.
- Consolidation of land or Subdivision.
- Removal or creation of easements or restrictions.

The responsible authority must be satisfied that the development is necessary to the ongoing management and preparation of the land for future redevelopment.

Before granting a permit, the responsible authority must be satisfied that the permit will not prejudice the preparation of a development plan and the future use and development of the land in an integrated manner and in accordance with the objectives for the site contained in this schedule.

3.0

30/06/2020
C162bays

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

- A permit for subdivision or development of the land (excluding site preparation works) must include a requirement for a Section 173 Agreement to be entered into between the owner of the land, the Bayside City Council and CSIRO. The Agreement must provide for the following:
 - Prior to the issue of a Statement of Compliance for the residential subdivision of the land, the transfer of a total of 4.0ha of the land to Bayside City Council for public open space and conservation purposes. This must include:
 - 3.0 ha of land for conservation purposes in the southern portion of the site;
 - 1.0 ha of land for passive open space purposes, distributed across the balance of the site, in a manner that provides for equitable local access and good urban design outcomes.
 - The land must be transferred at no cost to Bayside City Council.

4.030/06/2020
C162bays**Requirements for development plan**

The development plan must show or make provisions for the following requirements to the satisfaction of the responsible authority:

Urban Context and Site Analysis

- A response to the site's regional and strategic context.
- Existing urban character analysis including landscape features, topography and significant vegetation.
- Details on how an integrated development will be achieved that improves and complements the desired urban character for the site and surrounding land uses.
- Vehicle and pedestrian linkages to existing networks.

Character and Built Form

- Building envelopes that identify heights, setbacks and minimum offsets between buildings to ensure internal amenity.
- Conceptual general layout and height of proposed buildings showing the graduation of building heights across the site, including:
 - Two to three storeys where development abuts existing residential development and storey built form.
 - up to 4 storeys in the central area of the site.
 - up to 6 storeys at the northern end of the site.
- An explanation of how the development will interface with adjoining commercial and residential development.
- A range of dwelling types to cater for a variety of housing needs.
- A high quality of internal amenity for future residents.

Open Space, Landscape, and Significant Vegetation

- At least 4.0 hectares of land for conservation and open space purposes, which is to include:
 - 3.0 ha of land for conservation purposes in the southern portion of the site.
 - 1.0 ha of land for passive open space purposes, distributed across the balance of the site, in a manner that provides for equitable local access and good urban design outcomes.
 - An offset strategy in accordance with the principles set out under *Guidelines for the removal, Destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) The incorporation of significant native vegetation into the design of the development where possible.
 - The incorporation of any sites of cultural significance into the design of the development.
 - A Landscape Concept Plan and Tree Management Plan for the site that provides:
 - An assessment of existing vegetation on the land by a suitably qualified arborist or ecologist.
 - Opportunities to retain mature trees with adequate setbacks to development.
 - A planting theme which complements neighbourhood character, surrounding street trees and demonstrates water sensitive design objectives.
 - Delineation of which trees are to be removed and which trees are to be retained.
 - Safety for users through passive surveillance and site activation.
-

Traffic and Access

A comprehensive transport analysis which identifies:

- Expected traffic volumes associated with the proposed use and development of the site;
- A transport, traffic and access management plan which includes measures to address the transport, traffic, pedestrian and bicycle needs of the development, in particular an indicative hierarchy proposed for the site that:
 - Complements the form and structure of the surrounding network.
 - Investigates the potential for an east-west vehicle connection that links into the surrounding road network.
 - Provides for functional, safe and efficient pedestrian and cyclist routes to, from and within the site.
- The means proposed to address the impacts of traffic generated by the development on the surrounding road network including any required upgrades or modifications.

Drainage

A civil infrastructure and drainage report that includes:

- Assessment of the capacity of infrastructure to service the development with respect to the treatment and retardation of stormwater.
- Water Sensitive Urban Design (WSUD) principles.

Environmentally Sustainable Development

- Environmentally sustainable design principles to be incorporated into the development, including integrated water management, energy efficiency, climate responsive design, waste minimisation and improvements to urban ecology including an assessment with the Built Environment Sustainability Scorecard (BESS) tool.
 - How the orientation and layout of the development makes appropriate use of daylight and solar energy.
 - Water sensitive urban design solutions for managing storm water discharge throughout the site including public areas and roads, including the potential for diverting storm water for reuse off-site.
 - Incorporation of rain water tanks into the design to capture and store rain water for use in private gardens within the development and public open space.
-

04/02/2021
C168bays

SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO3**.

PUBLIC HOUSING RENEWAL – NEW STREET, BRIGHTON

1.0

04/02/2021
C168bays

Objectives

None specified.

2.0

04/02/2021
C168bays

Requirement before a permit is granted

A permit may be granted before a development plan has been approved to use or subdivide land, construct a building or construct or carry out works to the satisfaction of the Responsible Authority. Before granting a permit the Responsible Authority must be satisfied that the permit will not prejudice the future use and integrated and orderly development of the site in accordance with the Development Plan requirements specified in this Schedule.

3.0

04/02/2021
C168bays

Conditions and requirements for permits

The following conditions and/or requirements apply to permits, as appropriate:

- Prior to the commencement of any permitted demolition, buildings or works, a detailed Construction Management Plan as relevant to that demolition or those buildings and works must be prepared to the satisfaction of the Responsible Authority. The Construction Management Plan:
 - Must address (as relevant): demolition, bulk excavation, management of the construction site, hours of construction, noise, control of dust, public safety, construction vehicle road routes and traffic management (including location of construction vehicle access and worker parking), soiling and cleaning of roadways, discharge of any polluted water and stormwater, security fencing, disposal of site waste, location of cranes, location of site offices, storage of plant and equipment, redirection of any above or underground services and the protection of trees on or adjacent to the site to be retained in accordance with an Arboricultural Assessment Report prepared in accordance with this schedule.
- Prior to the commencement of any permitted demolition, buildings or works, a Waste Management Plan must be prepared to the satisfaction of the Responsible Authority that provides a cohesive approach to waste and recycling collections for the entire development. The Waste Management Plan must:
 - Identify and specify the type of bins to be used, location areas, where they will be stored, collection points and times, responsibility for collection and return, and details of screening and ventilation
 - Specify how recycling materials will be managed and collected
 - Show access routes for waste collection vehicles that do not rely on reversing movements.
 - Explore a waste management system that diverts organic waste from landfill
 - Explore centralised and easily accessible areas located within the development where waste compactors could be stationed for all residents of the development to utilise.

4.0

04/02/2021
C168bays

Requirements for development plan

A Development Plan must include the following requirements.

General

The Development Plan must be prepared to the satisfaction of the Responsible Authority in consultation with Bayside City Council.

BAYSIDE PLANNING SCHEME

The Development Plan must demonstrate the following:

- High quality integrated social and private housing that is socially, economically and environmentally sustainable that delivers high levels of residential amenity and liveability.
- An increase in the number of social housing dwellings that achieves dwelling diversity across the site with a range of one, two and three or more bedroom dwellings, balancing issues of equity in the delivery of social and private housing that is well integrated and is visually indistinguishable.
- Integration of the site with the surrounding area by responding to existing or preferred neighbourhood character, enhancing the public realm and existing networks and delivering 'good neighbour' outcomes.
- Opportunities for legible access and address points for the site, buildings and spaces, including defining open spaces that foster social connections between residents and the wider community, and that prioritise pedestrian and bicycle access within and external to the site.
- Landscaping open space (including communal parks, playgrounds and other pocket spaces) that is resilient, well connected and enhances the sense of place, sustainability and liveability of the site and local area, and that meets the needs of both the social and private housing residents.
- Delivery of adaptable buildings and spaces that are accessible and practical for people of all abilities and respond to the future needs of residents.

Land Use

The Development Plan could show or make provision for small scale retail, commercial or community uses to meet the needs of the local community, which are located at ground floor level and with frontage to New Street and/or Rusden Street.

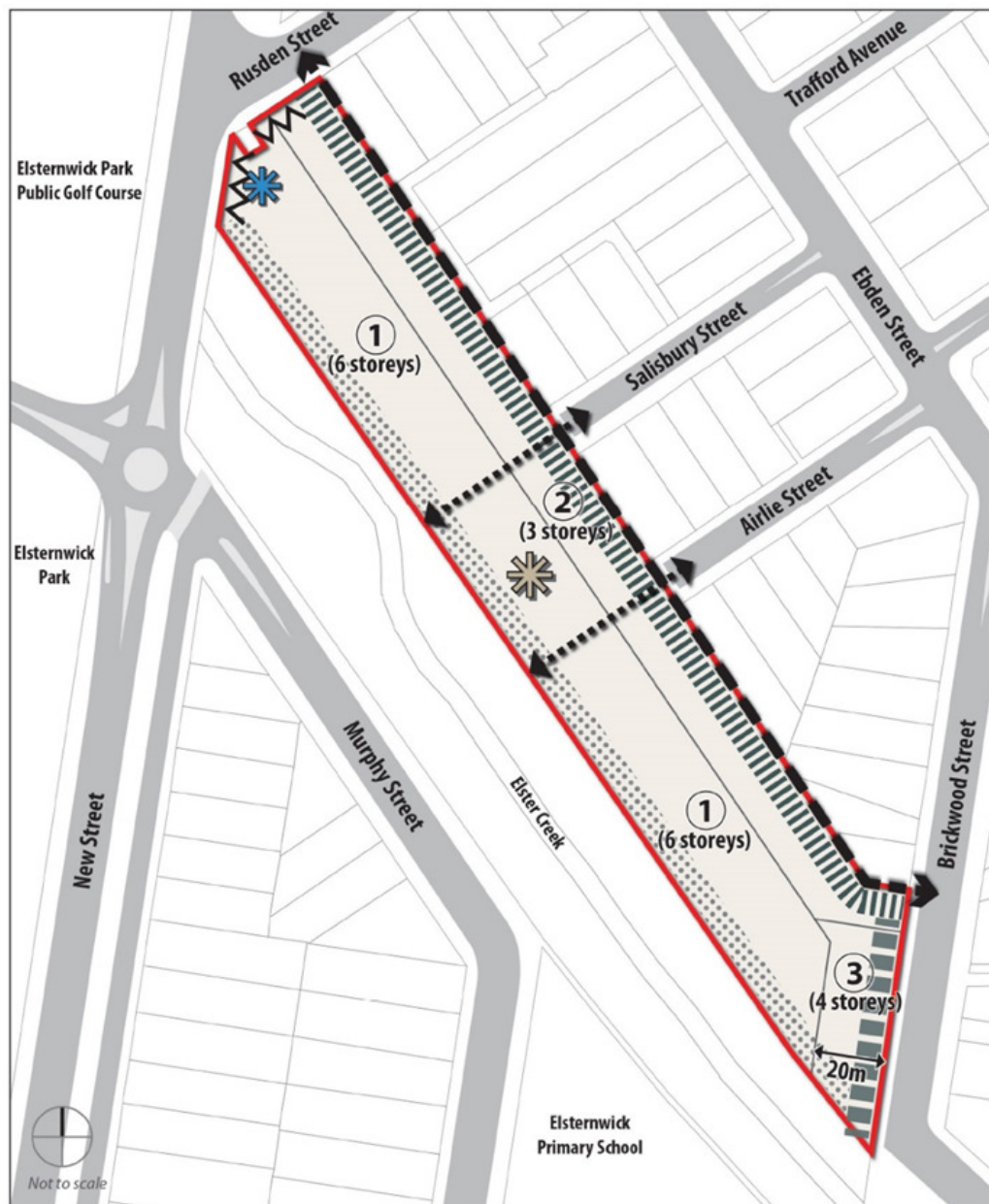
The Development Plan must demonstrate that potential amenity impacts of these uses can be appropriately managed.

Concept Plan

The Development Plan must be generally in accordance with the Concept Plan forming part of this schedule, to the satisfaction of the Responsible Authority.

BAYSIDE PLANNING SCHEME

Map 1 to Schedule 3 to Clause 43.04



LEGEND

-  Site
-  Internal connections
-  Pedestrian Path
-  Precinct (with associated maximum building height)
-  Potential location of new open space area
-  Potential small scale retail, commercial or community uses

INTERFACE TREATMENTS

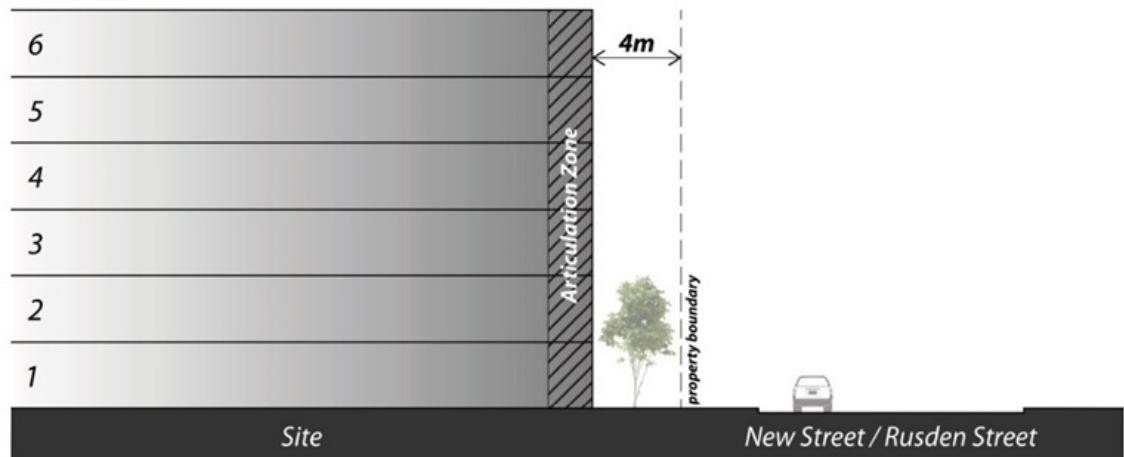
-  Interface Treatment A (New and Rusden Streets)
-  Interface Treatment B (Brickwood Street)
-  Interface Treatment C (Direct Residential Interfaces)
-  Interface Treatment D (Elster Creek)

PRECINCT	MAXIMUM BUILDING HEIGHT
1	6 storeys
2	3 storeys
3	4 storeys

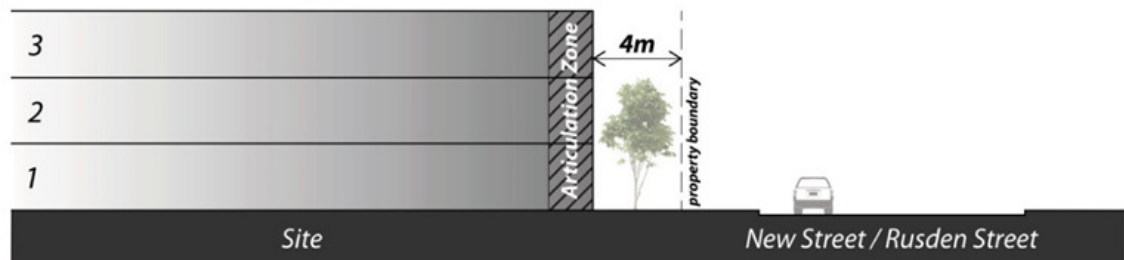
Building Heights and Setbacks

The Development Plan must show:

- Buildings that do not exceed the ‘maximum building height’ shown on the Concept Plan.
- Boundary setbacks as outlined in each relevant Interface Treatment or an increased setback in locations where necessary to protect existing trees to be retained or accommodate replacement canopy trees.
- For **Interface Treatment A (New and Rusden Streets)**
 - 4 metre boundary setback.

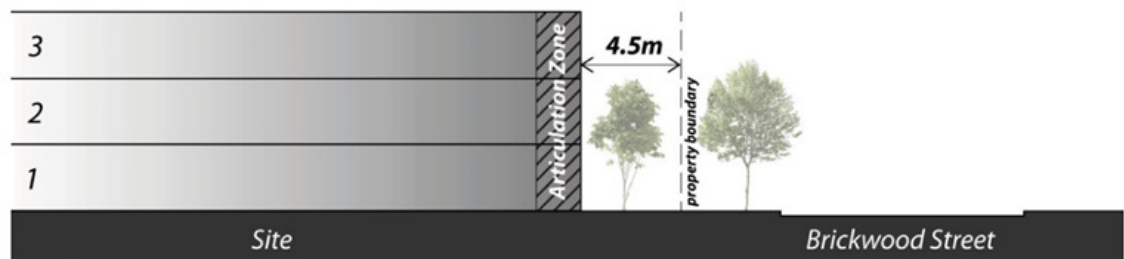


Interface Treatment A (New and Rusden Streets) (Precinct 1)



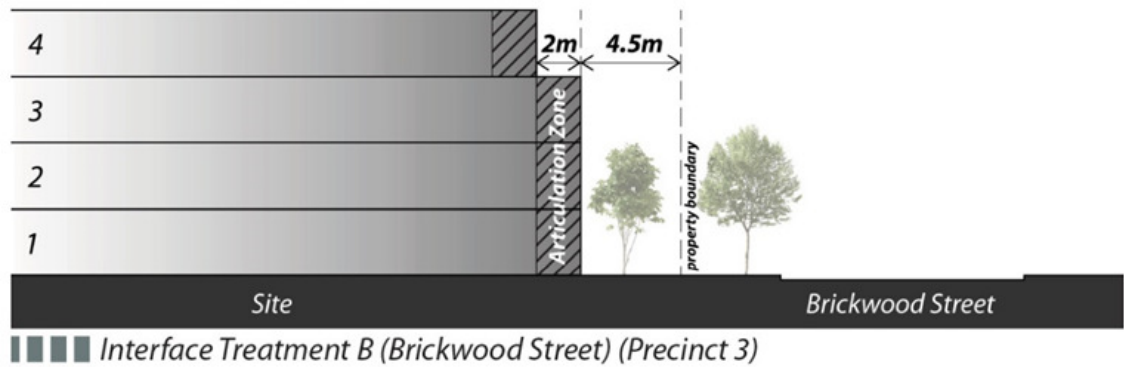
Interface Treatment A (New and Rusden Streets) (Precinct 2)

- For **Interface Treatment B (Brickwood Street)**
 - 4.5 metre boundary setback up to 3 storeys, and an additional 2 metre setback above three storeys.



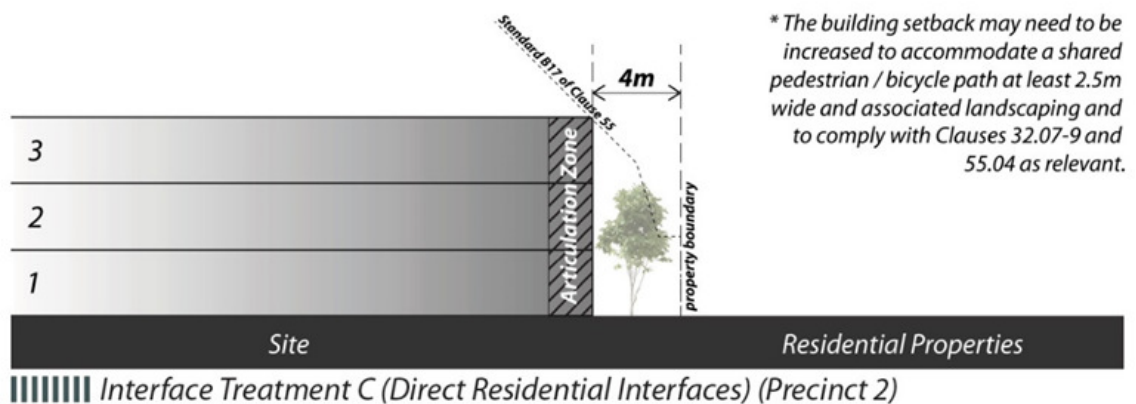
Interface Treatment B (Brickwood Street) (Precinct 2)

BAYSIDE PLANNING SCHEME



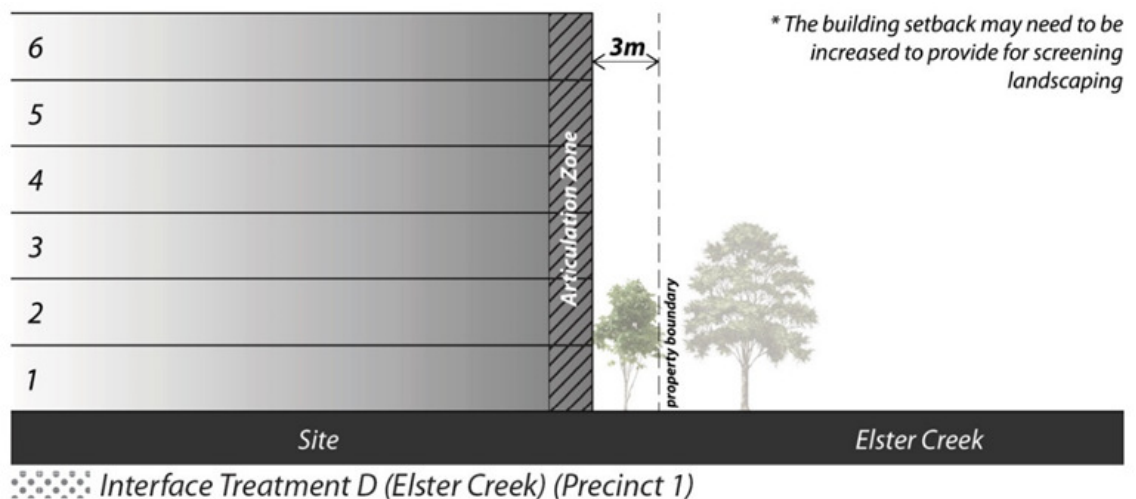
- For **Interface Treatment C (Direct Residential Interfaces)**

- 4 metre boundary setback, increased as required to accommodate a shared pedestrian/bicycle path at least 2.5m wide and associated landscaping and to comply with Clause 32.07-9 and Clause 55.04 as relevant.

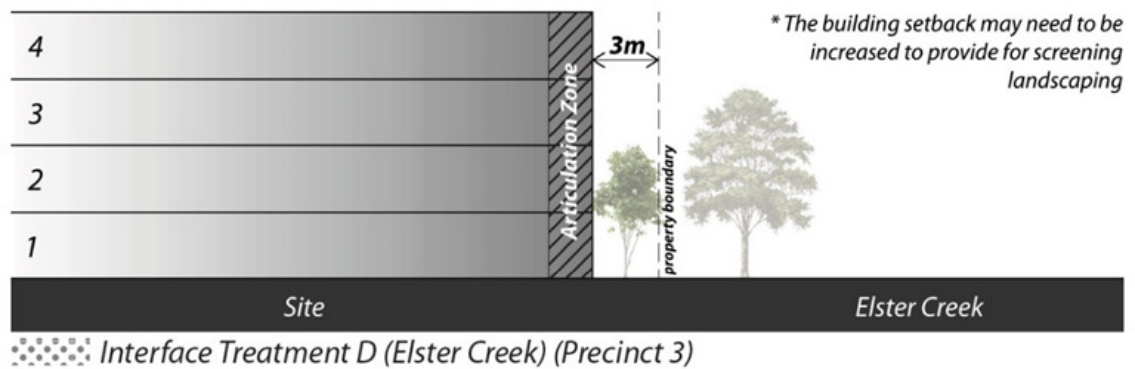


- For **Interface Treatment D (Elster Creek)**

- 3 metre boundary setback increased in locations where necessary to provide landscaping along the boundary to visually screen the development from Murphy Street.



BAYSIDE PLANNING SCHEME



Other Built Form Requirements

The Development Plan should show:

- Highest built form adjoining Elster Creek and New Street with a transition downwards towards the north-east boundary and with the lowest built forms at residential interfaces.
- Separate building forms to provide a sense of spaciousness and avoid inappropriate visual dominance of buildings.
- Architectural and urban design outcomes that:
 - contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties
 - maintain a strong landscape character with buildings set within vegetated surrounds.
- Building envelopes that are adapted to:
 - protect any existing trees to be retained
 - ensure the site layout allows for regular breaks along each boundary to accommodate canopy trees and their associated Tree Protection Zone.
 - provide a minimum of 2 hours sunlight available to at least 50% of public open space areas on the site between 9.00am and 3.00pm on the September equinox
- Visual bulk of buildings reduced through the placement of balconies and use of discontinuous forms, articulated facades and varied materials, particularly in the articulation zones shown in the Interface Treatment Diagrams.
- Active frontages to publicly accessible areas and adjoining streets through:
 - provision of low and/or transparent fencing and landscaping to allow for passive surveillance
 - avoiding large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors along ground floor frontages
 - provision of individual entry doors to ground floor dwellings that have frontages to a road or internal connection
 - building entries along the site boundaries that are highly visible from public pedestrian pathways and open spaces
 - the placement of entries, windows and balconies to facilitate passive surveillance of streets, open space and pedestrian paths.
- Buildings designed to front the shared pedestrian/cycle path along Interface C, to provide appropriate surveillance.
- Where non-residential uses are proposed, provision of the following:
 - a minimum 4 metre floor to floor height

BAYSIDE PLANNING SCHEME

- an entrance and/or clear glazed window at the street frontages of each individual non-residential use
- weather protection at the street frontages of the non-residential uses.
- The location of car parking spaces within basement levels or suitably concealed within buildings or behind features with active frontages, or behind appropriate architectural features. .
- The design, provision and layout of car parking should avoid and minimise impacts on medium and high retention value trees along boundaries.
- Cohesive architectural design throughout the site, with the use of high quality, durable and low maintenance materials and colours that blend in with the surrounding environment.
- Appropriate noise attenuation measures to minimise noise impacts on proposed dwellings from New and Rusden Streets and any non-residential uses on or adjoining the site.

Landscape and Open Space

The Development Plan should show:

- A new centrally located open space area of not less than 2,000 square metres as shown on the Concept Plan. This area may form part of the communal open space required under Clause 55.07-2 or Clause 58.03-2 and/or public open space.
- Open spaces which are large enough to accommodate a range of facilities, including community gardening, playgrounds and exercise equipment and that are well-lit to maintain safety of these areas.
- Retention of all trees identified in the required Tree Management Plan as trees to be retained.
- Tree planting and/or replacement as follows:
 - any high or medium value tree identified in the Arboricultural Assessment Report to be replaced on a two for one ratio
 - replacement trees that provide equivalent amenity value to residents and the public realm
 - additional street trees along the frontages of New, Rusden and Brickwood Streets, subject to agreement from Bayside City Council
 - new canopy trees in the centrally located open space area, along the shared pedestrian/bicycle path along Interface C, along the Elster Creek, along any internal connections and within any other new open space areas on the site.
- Landscaped buffers and setbacks at residential interfaces and Elster Creek, consisting of existing trees to be retained and/or replacement canopy trees to assist in screening the development.

Circulation

The Development Plan should show:

- Multiple vehicle access points to the site.
 - The location of on-site car parking for residents, visitors and workers (if applicable).
 - A publicly accessible shared path (pedestrian and cycle) along Interface C providing a connection between Brickwood Street and New Street/Rusden Street, as shown on the Concept Plan.
 - Provision for secure bicycle parking for residents and workers (if applicable), end of bicycle trip facilities for workers (if applicable) and short term bicycle parking for visitors.
 - Bicycle parking located at primary frontages and in proximity to pedestrian access ways.
 - Bicycle parking provided at a minimum of:
 - one space per dwelling without a car space
-

BAYSIDE PLANNING SCHEME

- one space per five dwellings with a car space
- one space per 10 dwellings for visitors.
- Bicycle servicing facilities that are located in highly visible and well-lit places.

The internal connections shown on the Concept Plan are indicative only and further connections within the site and through the building envelopes should also be considered to ensure a highly permeable urban structure.

Required documents, plans and reports

The following documents, plans and reports must form part of any Development Plan (as applicable if the Development Plan is approved in stages) and must be prepared to the satisfaction of the Responsible Authority:

- A **Planning Report** that demonstrates how the recommendations of the others plans required by this Schedule have been incorporated into the proposed development of the land.
 - A **Site Context Analysis** prepared in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme that includes, but is not limited to:
 - the urban context and existing conditions showing topography, the surrounding and on site land uses, buildings, noise sources, access points, adjoining roads, cycle and pedestrian network and public transport
 - views to be protected and enhanced, including views of and from the site
 - key land use and development opportunities and constraints.
 - **Preliminary Architectural Plans and Design Report** that show the distribution and design of built form on the site which must be generally in accordance with the Concept Plan included in this Schedule, including, but not limited to:
 - a design response to the Site Context Analysis in accordance with Clause 55.01 or Clause 58.01 of the Planning Scheme
 - demonstration of compliance with the requirements of Clause 55 and Clause 58 as relevant
 - demolition works
 - building envelopes including maximum building heights, building setbacks to all interfaces, and building depths
 - the proposed built form edge and interface treatments to the adjoining streets, the adjoining residential properties, and the Elster Creek
 - conceptual elevations and cross-sections, indicating level changes across the site
 - shadow diagrams of both existing conditions and proposed shadows, to be prepared at both the September equinox and at 9am, 12 noon and 3pm, and demonstration of how the overshadowing criteria identified in this Schedule can be met
 - images which show how the proposed built form will be viewed from the surrounding area, particularly adjoining streets and adjoining residential properties and from the south side of the Elster Creek corridor
 - the mix of dwelling types and sizes for each area
 - the mix of land uses, including small scale non-residential uses (if any).
 - An **Integrated Transport and Traffic Management Plan** that addresses, but is not limited to:
 - the range and scale of uses that will be anticipated on the site
-

BAYSIDE PLANNING SCHEME

- the estimated population of residents, visitors and workers (if applicable)
 - estimated vehicle trip generation levels resulting from use and development within the site
 - vehicle ingress and egress points and estimated levels of usage
 - the likely impacts of the proposed development on the arterial and local roads and any mitigating works required such as off-site traffic management treatments. Specific consideration is to be given to the potential for traffic conflicts with Elsternwick Primary School, particularly during drop off and pick up times
 - areas for loading and unloading of vehicles and access to those areas
 - Green Travel Plan initiatives that can be adopted to reduce private car usage by residents, visitors and workers (if applicable), including a new resident awareness and education program and opportunities for the provision of a car share program
 - if a new vehicle access point is proposed on Rusden Street, consideration of:
 - the location of the existing bus stop and electrical substation on Rusden Street
 - the impact on bus service provision
 - safety of pedestrians, cyclists and vehicles.
 - **An Arboricultural Assessment Report** that addresses, but is not limited to:
 - an assessment of trees on or adjacent to the site, including their retention value
 - recommendations for the protection of trees to be retained to conform to Australian Standard AS 4970-2009 Protection of Trees on Development Sites to ensure long-term health, including designation of tree protection zones and structural root zones
 - recommendations for tree species to replace the removal of any trees of moderate or high retention value.
 - **A Tree Management Plan** that addresses, but is not limited to:
 - identifying trees which are to be retained
 - detailing the methodology for protecting trees identified for retention, including the provision of high visibility tree protection fences at least 1.8 metres tall before construction commences, and measures to protect the trees, including their canopies, during construction.
 - **A Landscape and Open Space Plan** that addresses, but is not limited to:
 - existing vegetation to be retained and the appropriate protection zones to allow for their retention
 - consideration of retaining the existing trees within the site along the Brickwood Street frontage, and supplementing and/or replacing them with new large canopy trees either within the site or within the Brickwood Street nature strip
 - a planting theme that complements existing trees to be retained on the site and the surrounding neighbourhood character and that demonstrates water sensitive urban design outcomes
 - new canopy trees and landscaping within the public realm and open space areas, along the shared pedestrian/cycle path along Interface C, along the Elster Creek boundary and along internal connections
 - delineation of public, communal and private open spaces and the treatment of these interfaces, which must include provision of low and/or transparent fencing and landscaping to allow for passive surveillance
 - hard and soft landscaping treatments of the public realm and communal open spaces
-

BAYSIDE PLANNING SCHEME

- interface treatments between adjoining streets and residential properties, including boundary fences
 - integration of sustainability and water sensitive urban design (WSUD) measures with WSUD measures informed by the Stormwater and Flood Risk Management Plan maintenance responsibilities.
 - A **Dwelling Diversity Report** that must:
 - demonstrate how the development will achieve an appropriate level of dwelling diversity for both the social and the private components across the site
 - include the number and extent of one, two and three bedroom plus dwellings for social and private housing
 - provide for additional initiatives that actively encourage affordable housing opportunities.
 - An **Ecologically Sustainable Development Plan** that demonstrates how development on the site will achieve best practice standards and incorporate innovative initiatives. This Plan is to address energy efficiency, on-site renewable energy systems, resilience to climate related impacts to water resources, indoor environment quality, stormwater management, innovation and urban ecology. The Plan must ensure that all buildings will be able to achieve a minimum of 5 star rating against the Green Building Council of Australia's Green Star rating system for design (or achieve an equivalent standard using an equivalent rating tool).
 - A **Services and Infrastructure Plan** that addresses, but is not limited to:
 - an assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development
 - a description of the proposed provision of all appropriate utility services to the development.
 - An **Environmental Site Assessment** that addresses, but is not limited to:
 - site history and current site uses, including a photographic record of the buildings to be demolished
 - the extent of fill that has occurred on the site, including area, depth and fill material
 - the presence and depth of groundwater at the site
 - underground infrastructure that has contamination source potential
 - the contamination status of soil on the site
 - if intrusive works are likely to occur during redevelopment works, an acid sulphate soil assessment
 - advice on the need for a Site Remediation Strategy.
 - Where the development will be undertaken in stages, a **Staging Plan** that addresses, but is not limited to:
 - the delivery of infrastructure and shared facilities within each stage to ensure the orderly development of the site
 - site management, such as resident amenity, vehicle access and parking, pedestrian access and protection of existing buildings, infrastructure and vegetation
 - timeframes for the commencement and completion of each stage and any management of overlap between stages.
 - An **Acoustic Report** that identifies:
 - whether the proposed use and development of the site is likely to be affected by noise from nearby uses or abutting roads
-

BAYSIDE PLANNING SCHEME

- the likely effect of non-residential uses on the site on the amenity of nearby residential uses
 - methods to address the issues identified.
 - A **Social Infrastructure Assessment** to inform potential community facilities, programs and services that may be delivered on-site.
 - A **Community Engagement Report** which outlines the consultation which has occurred to inform the preparation of the Development Plan, including but not limited to the following stakeholders:
 - Bayside City Council
 - Office of the Victorian Government Architect
 - Transport for Victoria (including Public Transport Victoria and VicRoads)
 - Department of Education and Training Victoria
 - Melbourne Water
 - Estate Residents
 - Community Groups
 - Neighbouring owners and occupiers
-

43.05

31/07/2018
VC148

NEIGHBOURHOOD CHARACTER OVERLAY

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

Purpose

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

To identify areas of existing or preferred neighbourhood character.

To ensure that development respects the neighbourhood character.

To prevent, where necessary, the removal of buildings and vegetation before the neighbourhood character features of the site and the new development have been evaluated.

43.05-1

19/01/2006
VC37

Neighbourhood character statement and objectives

A schedule to this overlay must contain:

- A statement of the key features of the neighbourhood character.
- The neighbourhood character objectives to be achieved for the area affected by the schedule.

43.05-2

14/12/2023
VC253

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply 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.
 - The construction or extension of an outbuilding normal to a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
 - 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.
- Demolish or remove a building if specified in a schedule to this overlay.
- Remove, destroy or lop trees if specified in a schedule to this overlay. This does not apply:
 - To a tree that is less than 5 metres in height or has a trunk circumference of less than 0.5 metre measured 1 metre above ground level.
 - 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.
 - If the removal, destruction or lopping of the tree is necessary for emergency access and emergency works by a public authority or municipal council.

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.

BAYSIDE PLANNING SCHEME

Class of application	Information requirements and decision guidelines
Remove, destroy or lop one tree provided: - A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. - There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	Clause 59.06
Construct, demolish or remove a fence.	Clause 59.05
Construct a building or construct or carry out works for: - A carport, garage, pergola, verandah, deck, shed or similar structure. - A domestic swimming pool or spa and associated mechanical equipment and safety fencing. - A rainwater tank. The buildings and works must be associated with a dwelling.	Clause 59.05
Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure).	Clause 59.05

43.05-3

08/09/2025
VC282

Modification to Clause 54 and Clause 55 standards

A schedule to this overlay may modify:

- The requirements of any standard of Clause 54, including any requirements specified in the schedule to the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone. This does not apply to Standards A2-8, A3-4, A3-5, A4-1, A4-2, A4-3, A5-2, A5-3 and A5-4 of Clause 54.
- The requirements of any standard of Clause 55, including any requirements specified in the schedule to the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone. This does not apply to Standards B3-1, B3-7, B3-8, B3-9, B3-10, B3-11, B3-12, B4-1, B4-2, B4-3, B5-2, B5-3, B5-4, B5-5, B5-7 of Clause 55.

43.05-4

31/03/2025
VC267

Other requirements

A schedule to this overlay may specify additional requirements not specified in clauses 54 and 55.

43.05-5

31/03/2025
VC267

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding normal to a dwelling.
- Construction of a swimming pool.

43.05-6

31/03/2025
VC267

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.

BAYSIDE PLANNING SCHEME

- The statement of the key features of the neighbourhood character and the neighbourhood character objectives contained in a schedule to this overlay.
 - Whether the location, layout and form of the proposed development respects the neighbourhood character.
 - The contribution that the existing building makes to the neighbourhood character.
 - Whether the site is to remain vacant or is to be developed for another purpose.
 - The contribution that the tree makes to the neighbourhood character.
 - The health of the tree.
 - Any proposed landscape improvements.
 - Any matter specified in a schedule to this overlay.
-

02/04/2025
VC276**SCHEDULE 1 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY**

Shown on the planning scheme map as NCO1.

TRAFFORD AVENUE, BRIGHTON**1.0**02/04/2025
VC276**Statement of neighbourhood character**

Trafford Avenue is characterised by single storey Federation era weatherboard dwellings set behind small front gardens and complementary timber picket or iron palisade front fences. Wall colours and finishes are generally in subdued or light colours. Combined with the consistent era and style of older period dwellings, the character is defined primarily by the consistency of building setbacks and spacing, building form, scale, materials, and roof form and pitch.

The preferred neighbourhood character for Trafford Avenue will contain a continued presence of the Federation era dwellings, combined with new dwellings that are respectful of these older styles. Dwellings will be well articulated in plan and elevation, use simple detailing and contain materials that complement the light coloured weatherboard used in existing dwellings. They will also incorporate pitched, hip and gable roof forms, and articulated facades that address the street and are set back in line with other nearby dwellings. Second storey elements will be recessed from the front façade to reduce the visual impact on the streetscape. Space for the planting of vegetation will be available in front yards unencumbered by car ports, garages or driveways, and by providing small front and side building setbacks that reflect the pattern of those in the street. Front fences will be appropriate to the era of the dwelling and allow views to the dwellings and gardens from the street.

2.002/04/2025
VC276**Neighbourhood character objective**

To ensure that new buildings and works reflect the statement of neighbourhood character of the area.

To encourage retention of older dwellings that contribute to the valued character of the area.

To maintain the established pattern of front setbacks and the appearance of small side setbacks in the street.

To ensure that new dwellings or extensions to existing dwellings respect the dominant building height, form, façade articulation, materials and roof forms of the streetscape.

To ensure that the use of design detail in new buildings complements, rather than mimics, that of the predominant building styles in the street.

To maintain the pattern of open front fencing that creates a sense of openness in the streetscape and allows views of dwellings and into front gardens, and complements the building era and style.

To minimise the loss of front garden space due to car parking and driveways, and minimise the dominance of car parking structures in the streetscape.

3.002/04/2025
VC276**Permit requirement**

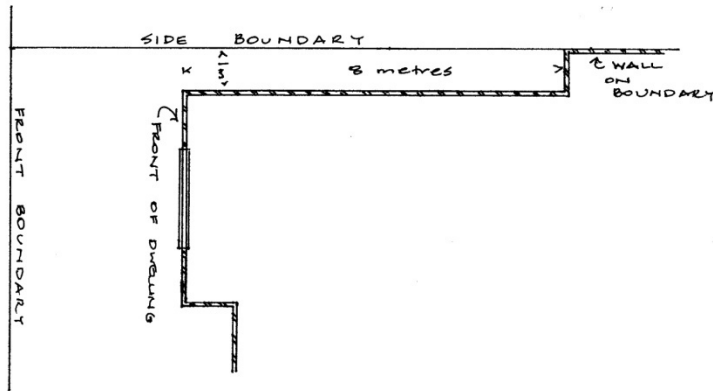
A permit is required to:

- Construct or extend an outbuilding normal to a dwelling.
- Demolish or remove a building.

4.008/09/2025
VC282**Modification to Clause 54 and Clause 55 standards**

Standard	Modified requirement
Street setback	Walls of buildings should be set back from streets the distance specified in Street Setback Table below.

BAYSIDE PLANNING SCHEME

Standard	Modified requirement		
A2-1 and B2-1	Street Setback Table		
	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.
Side and rear setbacks A2-3 and B2-3	A new building not on or within 200mm of a boundary should be setback 2 metres from the side boundary and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres.		
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: - It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or - It is any other part of the dwelling and the building is set back a minimum of 1 metre from the side boundary for a distance of 8 metres from the front wall of the building (see sketch). 		
	All other requirements of Standards A2-4 and B2-4 continue to apply.		
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street and be of an open or picket style. A front fence within 3 metres of a street should not exceed a height of 1.2 metres.		

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Design detail	The design of buildings, including: - Window and door proportions, - Scale and form, - Roof form and pitch, - Verandahs, eaves and parapets, - Number of storeys, - Materials and finishes, - Façade articulation and detailing,

BAYSIDE PLANNING SCHEME

Requirement name	Requirement
	▪ Building siting, and ▪ Siting and design of driveways, garages or carports, should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements, rather than replicates, period dwelling styles. Second storey elements of new dwellings, and second storey additions to existing dwellings should be sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street. This will require second storey elements to be: ▪ Set back a substantial distance from the front building façade and generally located behind the main ridgeline or highest point of the roof over the ground floor, and ▪ Designed to complement the form and proportions of the existing dwelling or, if a new dwelling, other dwellings in the street. A garage, carport or car space constrained by walls should be: ▪ Visually unobtrusive and compatible with the development and the preferred neighbourhood character. ▪ A maximum width of 4 metres where visible from the street. ▪ Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area contained in this schedule.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred neighbourhood character of the area contained in this schedule.
- The precinct guidelines in the Local Planning Policy Framework.

02/04/2025
VC276**SCHEDULE 2 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY**

Shown on the planning scheme map as NCO2.

COCHRANE STREET, EDMANSON AVENUE AND EBDEN STREET, BRIGHTON**1.0**02/04/2025
VC276**Statement of neighbourhood character**

The Cochrane Street, Edmanson Avenue and Ebden Street area is characterised by double fronted, Federation era weatherboard dwellings set behind small front gardens and complementary picket style front fences. Wall colours and finishes are generally in subdued or light colours. Combined with the consistent era and style of older period dwellings, the character is defined primarily by the consistency of building setbacks and spacing, building form, scale, materials, roof form and pitch and front boundary treatment. Bluestone kerbs and channelling, asphalt footpaths and established trees line the streets and add to the cohesiveness of the area.

The preferred neighbourhood character for the Cochrane Street, Edmanson Avenue and Ebden Street area will contain a continued presence of the Federation era dwellings, combined with new dwellings that are respectful of these older styles. Dwellings will be well articulated in plan and elevation, use simple complementary detailing and contain materials that complement the light coloured weatherboard used in existing dwellings. They will also incorporate pitched, hip and gable roof forms, and articulated facades that address the street, setback in line with other nearby dwellings. Second storey elements will be recessed from the front façade to reduce visual impact on the streetscape. Space for the planting of vegetation will be available in front yards unencumbered by car ports, garages, or driveways, and by providing small front and side setbacks that reflect the pattern of those in the street. Fences will be appropriate to the era of the dwelling and allow views to the dwellings and gardens from the street.

2.002/04/2025
VC276**Neighbourhood character objective**

To ensure that new buildings and works reflect the statement of neighbourhood character of the area.

To encourage retention of older dwellings that contribute to the valued character of the area.

To maintain the established pattern of front setbacks and the appearance of small side setbacks in the street.

To ensure that new dwellings or extensions to existing dwellings respect the dominant building height, form, façade articulation, materials and roof forms of the streetscape.

To ensure that the use of design detail in new buildings complements, rather than mimics, that of the predominant building styles in the street.

To maintain the pattern of open front fencing that creates a sense of openness in the streetscape and allows views of dwellings and into front gardens, and complements the building era and style.

To minimise the loss of front garden space due to car parking and driveways, and minimize the dominance of car parking structures in the streetscape.

3.002/04/2025
VC276**Permit requirement**

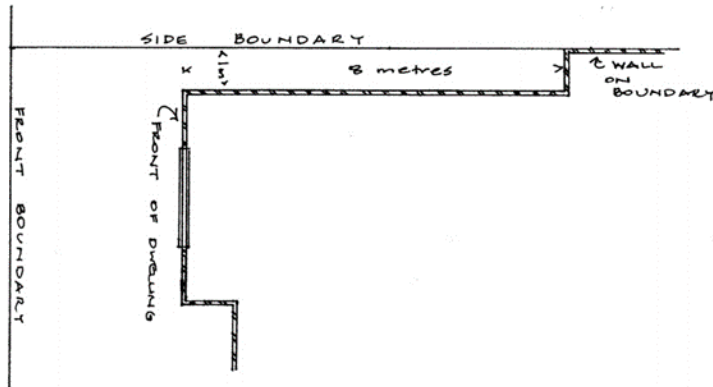
A permit is required to:

- Construct or extend an outbuilding normal to a dwelling.
- Demolish or remove a building.

4.0

08/09/2025
VC282

Modification to Clause 54 and Clause 55 standards

Standard	Modified requirement						
Street setback A2-1 and B2-1	Walls of buildings should be set back from streets the distance specified in Street Setback Table below. Street Setback Table <table><tr><th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr><tr><td>All buildings</td><td>Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.</td><td>Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.</td></tr></table>	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)					
All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.					
Side and rear setbacks A2-3 and B2-3	A new building not on or within 200mm of a boundary should be setback 2 metres from the side boundary and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres.						
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: - It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or - It is any other part of the dwelling and the building is set back a minimum of 1 metre from the side boundary for a distance of 8 metres from the front wall of the building (see sketch).  All other requirements of Standards A2-4 and B2-4 continue to apply.						
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street and be of an open or picket style. A front fence within 3 metres of a street should not exceed a height of 1.2 metres.						

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Design detail	The design of buildings, including: - Window and door proportions, - Scale and form, - Roof form and pitch, - Verandahs, eaves and parapets, - Number of storeys,

Requirement name	Requirement
	▪ Materials and finishes, ▪ Façade articulation and detailing, ▪ Building siting, and ▪ Siting and design of driveways, garages or carports, should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements, rather than replicates, period dwelling styles. Second storey elements of new dwellings, and second storey additions to existing dwellings should be sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street. This will require second storey elements to be: ▪ Set back a substantial distance from the front building façade and generally located behind the main ridgeline or highest point of the roof over the ground floor, and ▪ Designed to complement the form and proportions of the existing dwelling or, if a new dwelling, other dwellings in the street. A garage, carport or car space constrained by walls should be: ▪ Visually unobtrusive and compatible with the development and the preferred neighbourhood character. ▪ A maximum width of 4 metres where visible from the street. ▪ Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area contained in this schedule.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred neighbourhood character of the area contained in this schedule.
- The precinct guidelines in the Local Planning Policy Framework.

02/04/2025
VC276

SCHEDULE 3 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY

Shown on the planning scheme map as NCO3.

MONTROSE AVENUE, BRIGHTON

1.0

02/04/2025
VC276

Statement of neighbourhood character

The Montrose Avenue area comprises an intact and highly consistent group of Federation era dwellings, predominantly of the single storey Queen Anne style, with some appearing to be identical in design. All buildings are double fronted with a projecting front room and porch, and high pitched iron roofs that have both hipped and gabled ends fronting the street. Window and door proportions and wall articulation are all of the Federation style with simple design detailing. Buildings are constructed of timber that is finished in light, subdued colours. Dwellings are set back a consistent distance from the front boundary, with gardens that are small but established behind picket style fences. Side boundary setbacks separate dwellings, and are sometimes quite large.

The neighbourhood character of the Montrose Avenue area is defined by the highly consistent era and style of the existing period buildings, and the consistency of building form, scale, front and side setbacks, façade articulation, roof form, pitch and materials, and other building materials.

The preferred neighbourhood character of the Montrose Avenue area will contain a continued presence of Federation era buildings and new buildings that reflect the key elements of these older styles in a contemporary manner. New development will respect the single storey scale of the overall streetscape by recessing second storey development. Buildings will be well articulated in plan and elevation, incorporating pitched and gabled roof forms, and front facades will reflect the recesses and projections of existing buildings. Design detailing will be simple and wall materials will complement the light coloured weatherboard used in existing dwellings. New development will also maintain the existing pattern of front setbacks clear of structures and wide or multiple driveways, and side setbacks that separate dwellings. Front fences of a height similar to those existing in the street will allow views to the dwellings and front gardens and complement the style and era of buildings.

2.0

02/04/2025
VC276

Neighbourhood character objective

To ensure that new buildings and works reflect the statement of neighbourhood character of the area.

To encourage retention of the older dwellings that contribute to the valued character of the area.

To maintain the established pattern of front setbacks in a streetscape and side setbacks that separate buildings on adjoining allotments.

To ensure that new dwellings or extensions to existing dwellings respect the dominant building height and forms, façade articulation, materials and roof forms of the streetscape.

To ensure that the use of design detail in new buildings complements, without mimicking, that of the predominant building styles in the street.

To maintain the pattern of visually permeable front fencing that creates a sense of openness in the streetscape and allows views into front gardens.

To minimise the loss of front garden space due to wide or multiple driveways and the dominance of car parking structures in the streetscape.

3.0

02/04/2025
VC276

Permit requirement

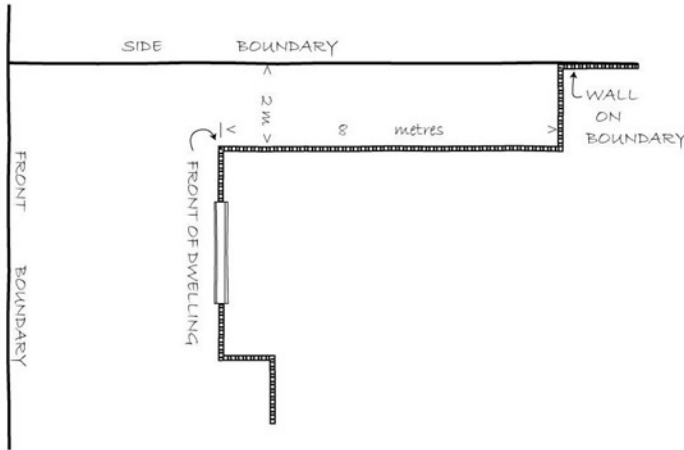
A permit is required to:

- Construct or extend an outbuilding normal to a dwelling.
 - Demolish or remove a building.
-

4.0

08/09/2025
VC282

Modification to Clause 54 and Clause 55 standards

Standard	Modified requirement						
Street setback A2-1 and B2-1	Walls of buildings should be set back from streets the distance specified in Street Setback Table below. Street Setback Table <table><tr><th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr><tr><td>All buildings</td><td>Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.</td><td>Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.</td></tr></table>	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)					
All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.					
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: - It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or - It is any other part of the dwelling and the building is set back a minimum of 2 metres from the side boundary for a distance of 8 metres from the front wall of the building (see sketch).  All other requirements of Standards A2-4 and B2-4 continue to apply.						
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street and be of an open or picket style. A front fence within 3 metres of a street should not exceed a height of 1.2 metres.						

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Design detail	The design of buildings, including: - Window and door proportions, - Scale and form, - Roof form and pitch, - Verandahs, eaves and parapets, - Number of storeys, - Materials and finishes, - Façade articulation and detailing,

Requirement name	Requirement
	▪ Building siting, and ▪ Siting and design of driveways, garages or carports, should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements, rather than replicates, period dwelling styles. Second storey elements of new dwellings, and second storey additions to existing dwellings should be sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street. This will require second storey elements to be: ▪ Set back a substantial distance from the front building façade and generally located behind the main ridgeline or highest point of the roof over the ground floor, and ▪ Designed to complement the form and proportions of the existing dwelling or, if a new dwelling, other dwellings in the street. A garage, carport or car space constrained by walls should be: ▪ Visually unobtrusive and compatible with the development and the preferred neighbourhood character. ▪ A maximum width of 4 metres where visible from the street. ▪ Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area contained in this schedule.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred character of the area contained in this schedule.
- The precinct guidelines in the Local Planning Policy Framework.

02/04/2025
VC276**SCHEDULE 4 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY**

Shown on the planning scheme map as NCO4.

MISSOURI AVENUE, BRIGHTON**1.0**02/04/2025
VC276**Statement of neighbourhood character**

The Missouri Avenue area is an intact Interwar streetscape comprised almost entirely of Californian Bungalows. Dwellings are consistently set back from the front and side boundaries, and are located within generous landscaped front gardens, with low, brick or medium height picket style front fences that assist in maintaining the openness of the streetscape. The varied use of materials and slight differences in built form add to the interest of the streetscape and define individual dwellings. Most buildings are single storey, and although there have been some second storey additions to dwellings, these generally have a minimal impact on the streetscape and are either partially accommodated within the roof space or well set back from the front façade. The key characteristics of the area are the consistency of building scale and form, low pitched roof forms with wide eaves and articulated facades, landscaped front setbacks, building siting and low or permeable front fencing.

The preferred neighbourhood character for the Missouri Avenue area will retain a continued presence of Interwar dwellings, combined with new dwellings that are respectful of the key characteristics of the area. Dwellings will be well articulated in plan and elevation, and will incorporate projections and recesses in the façade design. Low pitched roof forms will be included and materials will vary. New development will respect the single storey scale of the overall streetscape by recessing second storey development. The dwellings will be set within landscaped gardens incorporating large trees, and will be set back from the front and side boundaries reflecting the dominant patterns in the area. Front gardens will be unencumbered by garages, car ports, or wide or multiple driveways. Front fences should remain low to medium height to allow views to gardens and dwellings and complement the Interwar styles in the street.

2.002/04/2025
VC276**Neighbourhood character objective**

To ensure that new buildings and works reflect the statement of neighbourhood character of the area.

To encourage retention of the older dwellings that contribute to the valued character of the area.

To maintain the predominant pattern of front setbacks and side setbacks that create separation from buildings on adjoining allotments.

To ensure that new dwellings or extensions to existing dwellings respect the dominant building height, form, façade articulation, and roof forms of the streetscape.

To ensure that the use of design detail in new buildings complements, rather than mimics, that of the predominant building styles in the street.

To maintain the pattern of low or visually permeable front fencing that creates a sense of openness in the streetscape and allows views into front gardens.

To maintain the landscape character of the street by allowing adequate space for large trees in front yards and around dwellings.

To minimise the loss of front garden space due to car parking or wide or multiple driveways, and the dominance of car parking structures in the streetscape.

3.002/04/2025
VC276**Permit requirement**

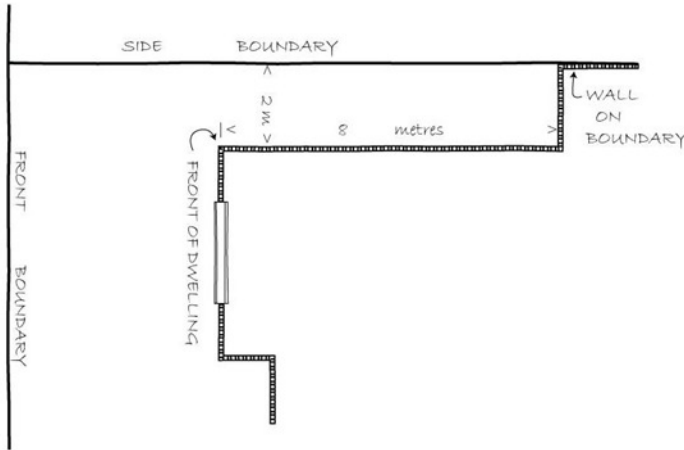
A permit is required to:

- Construct or extend an outbuilding normal to a dwelling.
- Demolish or remove a building.

4.0

08/09/2025
VC282

Modification to Clause 54 and Clause 55 standards

Standard	Modified requirement									
Street setback A2-1 and B2-1	Walls of buildings should be set back from streets the distance specified in Street Setback Table below. <table><tr><th colspan="3">Street Setback Table</th></tr><tr><th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr><tr><td>All buildings</td><td>Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.</td><td>Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.</td></tr></table>	Street Setback Table			Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.
Street Setback Table										
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)								
All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.								
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: - It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or - It is any other part of the dwelling and the building is set back a minimum of 2 metres from the side boundary for a distance of 8 metres from the front wall of the building (see sketch).  All other requirements of Standards A2-4 and B2-4 continue to apply.									
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street and be low (under approximately 0.8 metres) or of an open style. A front fence within 3 metres of a street should not exceed a height of 1.2 metres.									

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Design detail	The design of buildings, including: - Window and door proportions, - Scale and form, - Roof form and pitch, - Verandahs, eaves and parapets, - Number of storeys, - Materials and finishes, - Façade articulation and detailing,

BAYSIDE PLANNING SCHEME

Requirement name	Requirement
	▪ Building siting, and ▪ Siting and design of driveways, garages or carports, should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements, rather than replicates, period dwelling styles. Second storey elements of new dwellings, and second storey additions to existing dwellings should be sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street. This will require second storey elements to be: ▪ Set back a substantial distance from the front building façade and generally located behind the main ridgeline or highest point of the roof over the ground floor, and ▪ Designed to complement the form and proportions of the existing dwelling or, if a new dwelling, other dwellings in the street. A garage, carport or car space constrained by walls should be: ▪ Visually unobtrusive and compatible with the development and the preferred neighbourhood character. ▪ A maximum width of 4 metres where visible from the street. ▪ Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area contained in this schedule.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred neighbourhood character of the area contained in this schedule.
- The precinct guidelines in the Local Planning Policy Framework.

SCHEDULE 5 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY

Shown on the planning scheme map as NCO5.

DOWNES AVENUE, BRIGHTON**1.0**02/04/2025
VC276**Statement of neighbourhood character**

The Downes Avenue area is a particularly intact group of dwellings from the Interwar era. Buildings exhibit a number of uniform features that are further enhanced by consistent streetscape elements, including street trees and road treatment.

The large number of Spanish Mission style dwellings is a particular feature of Downes Avenue, and these are interspersed with Californian Bungalow and Early Modern dwellings. All styles have a horizontal emphasis to the proportions of the facades, and many buildings are detailed with Spanish Mission style arches and columns. Wall materials of most dwellings consist of render and stucco in subdued colours including cream, grey, white and ivory. Roof forms in the street are consistently pitched and hipped, with occasional small gable elements. Upper levels are set back from the front façade of the dwelling, reducing their impact on the streetscape. Front fences are predominantly a combination of render and iron palisade in styles and colours that complement the style and materials of the dwelling. The streetscape elements that contribute to the neighbourhood character of the area include the consistency of materials, generous front and side setbacks, roof form, building form and façade proportion and articulation.

The preferred neighbourhood character of the Downes Avenue area will include a continued presence of the Interwar era buildings, combined with new detached dwellings that are respectful of these older styles. Dwellings will incorporate a horizontal emphasis in façade proportions, with articulation through projections and recesses, simple detailing, and pitched and hipped roof forms. New development will respect the single storey scale of the overall streetscape by recessing second storey development. Wall materials will include render or complementary materials in subdued colours. Buildings will be set back an adequate distance from side and front boundaries to maintain the landscaped settings of the dwellings. The leafy, spacious streetscape will be retained by front setbacks that are unencumbered by garages, car ports or wide or multiple driveways, and front fencing styles that allow views to the dwellings and their gardens.

2.002/04/2025
VC276**Neighbourhood character objective**

To ensure that new buildings and works reflect the statement of neighbourhood character of the area.

To encourage retention of the older dwellings that contribute to the valued character of the area.

To maintain the predominant pattern of front setbacks and side setbacks that separate buildings on adjoining allotments.

To ensure that new dwellings or extensions to existing dwellings respect the dominant building height and forms, façade proportions and articulation, materials, setbacks and roof forms of the streetscape.

To ensure that the use of design detail in new buildings complements, without mimicking, that of the predominant building styles in the street.

To maintain the pattern of visually permeable front fencing that creates a sense of openness in the streetscape and allows views into front gardens.

To maintain the landscape character of the street by allowing adequate space for landscaping around dwellings.

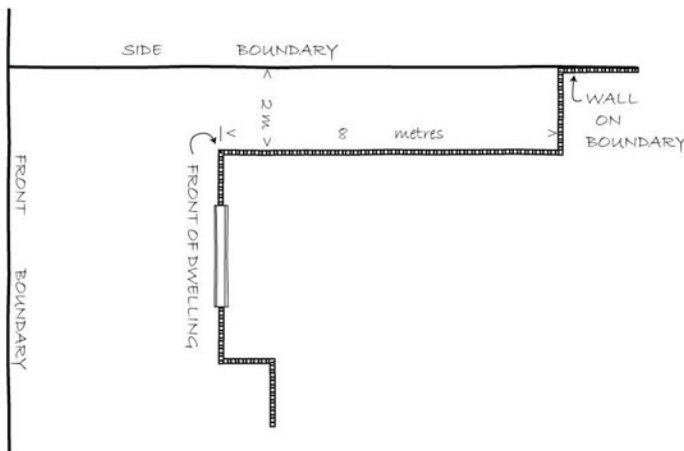
To minimise the loss of front garden space to car parking or wide or multiple driveways and the dominance of car parking structures in the streetscape.

3.002/04/2025
VC276**Permit requirement**

A permit is required to:

- Construct or extend an outbuilding normal to a dwelling.
- Demolish or remove a building.

4.008/09/2025
VC282**Modification to Clause 54 and Clause 55 standards**

Standard	Modified requirement					
Street setback A2-1 and B2-1	Walls of buildings should be set back from streets the distance specified in Street Setback Table below.					
	Street Setback Table					
	<table><tr><th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr><tr><td>All buildings</td><td>Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.</td><td>Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.</td></tr></table>	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)				
All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.				
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: ▪ It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or ▪ It is any other part of the dwelling and the building is set back a minimum of 2 metres from the side boundary for a distance of 8 metres from the front wall of the building (see sketch).  All other requirements of Standards A2-4 and B2-4 continue to apply.					
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street, be at least partially visually permeable to allow views to front gardens and dwellings and be constructed of render or stucco and iron palisade in a style and colour that complements the predominant fencing style in the street. A front fence within 3 metres of a street must not exceed a height of 1.2 metres.					

5.002/04/2025
VC276**Other requirements**

Requirement name	Requirement
Design detail	The design of buildings, including: ▪ Window and door proportions, ▪ Scale and form,

Requirement name	Requirement
	▪ Roof form and pitch, ▪ Verandahs, eaves and parapets, ▪ Number of storeys, ▪ Materials and finishes, ▪ Façade articulation and detailing, ▪ Building siting, and ▪ Siting and design of driveways, garages or carports, should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements, rather than replicates, period dwelling styles. Second storey elements of new dwellings, and second storey additions to existing dwellings should be sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street. This will require second storey elements to be: ▪ Set back a substantial distance from the front building façade and generally located behind the main ridgeline or highest point of the roof over the ground floor, and ▪ Designed to complement the form and proportions of the existing dwelling or, if a new dwelling, other dwellings in the street. A garage, carport or car space constrained by walls should be: ▪ Visually unobtrusive and compatible with the development and the preferred neighbourhood character. ▪ A maximum width of 4 metres where visible from the street. ▪ Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area contained in this schedule.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred neighbourhood character of the area contained in this schedule.
- The precinct guidelines in the Local Planning Policy Framework.

02/04/2025
VC276**SCHEDULE 6 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY**

Shown on the planning scheme map as NCO6.

MEYER COURT, BRIGHTON**1.0**02/04/2025
VC276**Statement of neighbourhood character**

Meyer Court is a rare example of an intact 1960s streetscape in a suburb that is generally defined by its Interwar character. Almost every dwelling in the Court contributes to its character through the consistent use of orange brick, single or low pitched roof form, and generous landscaped front gardens with low or no front fences that add to the spacious, open feel. Buildings are set at angles to the frontage and each other. Although dwellings are varied in form, floor plan and height, the character of the Court is particularly coherent due to the common use of materials, wide frontages, roof form, uncluttered front setbacks, low or no front fencing.

The preferred neighbourhood character for Meyer Court is defined by the continued presence of the 1960s dwellings combined with new dwellings that reflect the key characteristics of the street in a contemporary manner. New dwellings and extensions use orange or toning brick or render, simple detailing and reflect the low or single pitch roof forms. The openness of the streetscape is maintained by wide frontages, buildings set at angles to the street and each other, side boundary setbacks, generous front setbacks unencumbered by carports or garages, and low or no front fences.

2.002/04/2025
VC276**Neighbourhood character objective**

To ensure that new buildings and works reflect the preferred neighbourhood character of the area.

To encourage retention of 1960s dwellings that contribute to the valued character of the area.

To maintain the irregular building siting and front setbacks and side setbacks that separate buildings on adjoining allotments.

To ensure that new dwellings or extensions to existing dwellings respect the dominant materials, roof form, and front and side setbacks of the streetscape.

To ensure that the use of detail design in new buildings complements, without mimicking, that of the predominant building styles in the street.

To maintain the pattern of no or low front fencing that creates a sense of openness in the streetscape and allows views into front gardens.

To maintain the landscape character of the street by allowing adequate space for landscaping around dwellings.

To minimise the loss of front garden space due to car parking or wide or multiple driveways and the dominance of car parking structures in the streetscape.

3.002/04/2025
VC276**Permit requirement**

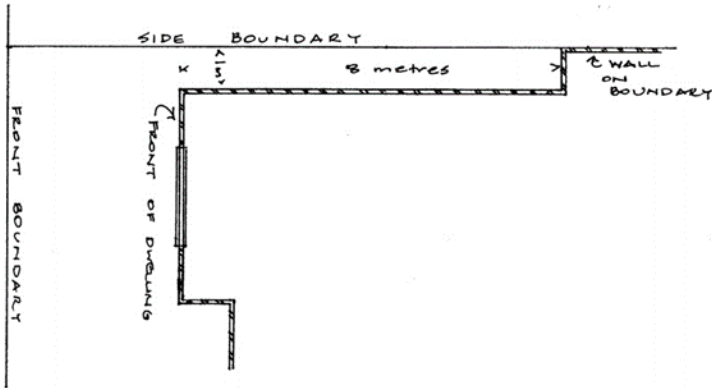
A permit is required to:

- Construct or extend an outbuilding normal to a dwelling.
- Demolish or remove a building.

4.008/09/2025
VC282**Modification to Clause 54 and Clause 55 standards**

Standard	Modified requirement
Street setback	Walls of buildings should be set back from streets the distance specified in Street Setback Table below.
A2-1 and B2-1	Street Setback Table

BAYSIDE PLANNING SCHEME

Standard	Modified requirement		
	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.
Side and rear setbacks A2-3 and B2-3	A new building not on or within 200mm of a boundary should be setback 2 metres from the side boundary and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres.		
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: - It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or - It is any other part of the dwelling and the building is set back a minimum of 1 metre from the side boundary for a distance of 8 metres from the front wall of the building (see sketch).  All other requirements of Standards A2-4 and B2-4 continue to apply.		
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street and must be constructed in brick or rendered in a colour that matches the dwelling colours. A front fence within 3 metres of a street must not exceed a height of 0.75 metres.		

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Design detail	The design of buildings, including: - Window and door proportions, - Scale and form, - Roof form and pitch, - Verandahs, eaves and parapets, - Number of storeys, - Materials and finishes, - Facade articulation and detailing, - Building siting, and - Siting and design of driveways, garages or carports,

BAYSIDE PLANNING SCHEME

Requirement name	Requirement
	should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements rather than replicates period dwelling styles. Second storey additions to existing buildings must be designed to complement the form, proportions and design detail of the original dwelling. A garage, carport or car space constrained by walls should be: ▪ Visually unobtrusive and compatible with the development and the preferred neighbourhood character. ▪ A maximum width of 4 metres where visible from the street. ▪ Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area contained in this schedule.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred neighbourhood character of the area contained in this schedule.
- The precinct guidelines in the Local Planning Policy Framework.

02/04/2025
VC276**SCHEDULE 7 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY**

Shown on the planning scheme map as NCO7.

PEARSON STREET, BRIGHTON**1.0**02/04/2025
VC276**Statement of neighbourhood character**

Pearson Street is an intact Victorian and Federation streetscape consisting of small-scale, compact, single storey dwellings with small front and side setbacks, combining to create an 'inner urban' feel. Dwellings are generally constructed of weatherboard finished in subdued colours, and front boundaries are lined with picket fences that match the style of the dwellings. Buildings are generally single fronted with hipped roofs, small verandahs and simple detailing. Although front gardens are limited by small setbacks, cottage style gardens and vegetation suited to small garden areas add to the character of the streetscape. The neighbourhood character of the street is defined by the compact siting, consistent building height and form, façade articulation, roof form, use of materials and front boundary treatment.

The preferred neighbourhood character for Pearson Street is defined by the continued presence of the Victorian and Federation style dwellings, and new dwellings that complement these styles. New development will respect the single storey scale of the overall streetscape by recessing second storey development, and will use similar materials and simple façade articulation and detailing. Front setbacks will be consistent with those in the street, the appearance of small side setbacks will be retained and front yards will remain unencumbered by driveways, car ports and garages. The streetscape will be further enhanced through open or permeable style fencing that allows views to dwellings and front gardens.

2.002/04/2025
VC276**Neighbourhood character objective**

To ensure that new buildings and works reflect the statement of neighbourhood character of the area.

To encourage retention of older dwellings that contribute to the valued character of the area.

To maintain the established pattern of small front and the appearance of small side setbacks in the street.

To ensure that new dwellings or extensions to existing dwellings respect the dominant building scale, height and forms, façade articulation, materials, roof form and setbacks of the streetscape.

To ensure that the use of design detail in new buildings complements, without mimicking, that of the predominant building styles in the street.

To maintain the pattern of open or permeable front fencing that creates a sense of openness in the streetscape and allows views into front gardens.

To minimise the loss of front garden space due to car parking and driveways, and minimise the dominance of car parking structures in the streetscape.

3.002/04/2025
VC276**Permit requirement**

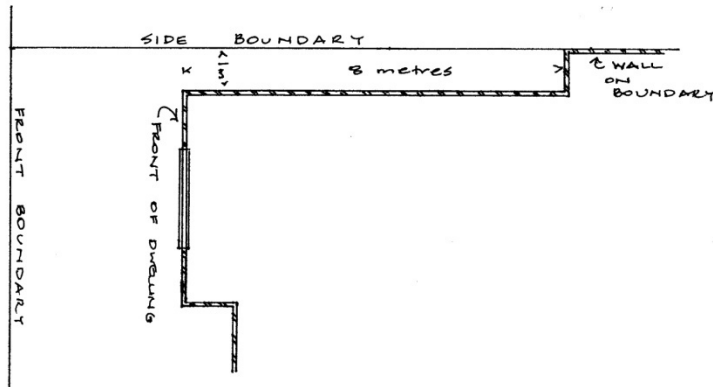
A permit is required to:

- Construct or extend an outbuilding normal to a dwelling.
- Demolish or remove a building.

4.0

08/09/2025
VC282

Modification to Clause 54 and Clause 55 standards

Standard	Modified requirement									
Street setback A2-1 and B2-1	Walls of buildings should be set back from streets the distance specified in Street Setback Table below. <table><tr><th colspan="3">Street Setback Table</th></tr><tr><th>Development context</th><th>Minimum setback from front street (metres)</th><th>Minimum setback from a side street (metres)</th></tr><tr><td>All buildings</td><td>Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.</td><td>Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.</td></tr></table>	Street Setback Table			Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.
Street Setback Table										
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)								
All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.								
Side and rear setbacks A2-3 and B2-3	A new building not on or within 200mm of a boundary should be setback 2 metres from the side boundary and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres.									
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: - It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or - It is any other part of the dwelling and the building is set back a minimum of 1 metre from the side boundary for a distance of 8 metres from the front wall of the building (see sketch).  All other requirements of Standards A2-4 and B2-4 continue to apply.									
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street and be of an open or picket style. A front fence within 3 metres of a street should not exceed a height of 1.2 metres.									

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Design detail	The design of buildings, including: - Window and door proportions, - Scale and form, - Roof form and pitch, - Verandahs, eaves and parapets, - Number of storeys,

Requirement name	Requirement
	- Materials and finishes, - Facade articulation and detailing, - Building siting, and - Siting and design of driveways, garages or carports, should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements rather than replicates period dwelling styles. Second storey elements of new dwellings, and second storey additions to existing dwellings should be sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street. This will require second storey elements to be: - Set back a substantial distance from the front building façade and generally located behind the main ridgeline or highest point of the roof over the ground floor, and - Designed to complement the form and proportions of the existing dwelling or, if a new dwelling, other dwellings in the street. A garage, carport or car space constrained by walls should be: - Visually unobtrusive and compatible with the development and the preferred neighbourhood character. - A maximum width of 4 metres where visible from the street. - Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area contained in this schedule.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred neighbourhood character of the area contained in this schedule.
- The precinct guidelines in the Local Planning Policy Framework.

02/04/2025
VC276**SCHEDULE 8 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY**

Shown on the planning scheme map as NCO8.

LOLLER STREET, BRIGHTON**1.0**02/04/2025
VC276**Statement of neighbourhood character**

The character of this section of Loller Street is shaped by the presence of low scale Victorian cottages and Federation style dwellings. There is an ‘inner urban’ feel to this area which is distinct from surrounding neighbourhoods, owing to the small lot sizes, the compact nature of the dwellings, building detailing such as verandahs and chimneys and minimal setbacks. Fences are predominantly timber picket and are of a colour and style that is suited to the dwelling. While building form and materials are varied, the neighbourhood character is derived from the consistent building scale, pitched roofs, small front setbacks, compact form, detailed façade articulation and open fencing style.

The preferred neighbourhood character of this area is formed by the continued presence of the mixed older styles, and new buildings that reflect the key characteristics in a contemporary way. New development will reflect the compact scale of the existing built form, incorporate facade articulation and maintain the existing pattern of small front and side setbacks. Front yards will remain unencumbered by driveways, car ports and garages. New development will respect the single storey scale of the overall streetscape by recessing second storey development. Front fences will generally be picket style that suits the era, materials and colours of the dwelling, and allows views to the dwelling and garden from the street.

2.002/04/2025
VC276**Neighbourhood character objective**

To ensure that new buildings and works reflect the preferred neighbourhood character of the area.

To encourage retention of older dwellings that contribute to the valued character of the area.

To maintain the established pattern of small front setbacks and the appearance of small side setbacks in the street.

To ensure that new dwellings or extensions to existing dwellings respect the dominant building scale and height, façade articulation, roof form of the streetscape.

To ensure that the use of design detail in new buildings complements, while not mimicking, that of the predominant building styles in the street.

To maintain the pattern of open or permeable front fencing that creates a sense of openness in the streetscape and allows views into front gardens.

To minimise the loss of front garden space due to car parking and driveways, and minimise the dominance of car parking structures in the streetscape.

3.002/04/2025
VC276**Permit requirement**

A permit is required to:

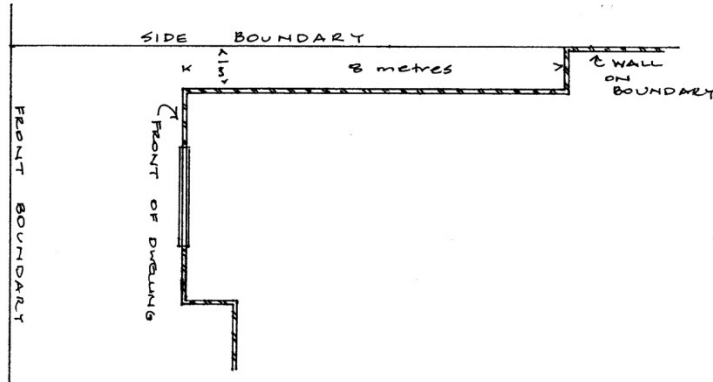
- Construct or extend an outbuilding normal to a dwelling.
- Demolish or remove a building.

Where there is conflict between this schedule and the General Residential Zone 2 (GRZ2) schedule or schedule 11 to the Design and Development Overlay (DDO11) the provisions of this schedule prevail.

4.0

08/09/2025
VC282

Modification to Clause 54 and Clause 55 standards

Standard	Modified requirement		
Street setback A2-1 and B2-1	Walls of buildings should be set back from streets the distance specified in Street Setback Table below.		
	Street Setback Table		
	Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	All buildings	Equal to the prevailing setback from the front street of all dwellings within the same Overlay area.	Equal to the prevailing setback from the side street of all dwellings on a corner allotment within the same Overlay area.
Side and rear setbacks A2-3 and B2-3	A new building not on or within 200mm of a boundary should be setback 2 metres from the side boundary and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres.		
Walls on boundaries A2-4 and B2-4	A wall may be constructed on a boundary where: - It is a carport, garage or outbuilding set back behind the front wall of the dwelling, and located on one side boundary only; or - It is any other part of the dwelling and the building is setback a minimum of 1 metre from the side boundary for a distance of 8 metres from the front wall of the building (see sketch). 		
	All other requirements of Standards A2-4 and B2-4 continue to apply.		
Front fences A2-7 and B2-8	The design of front fences should complement the era and design of dwellings in the street, and be of an open or picket style. A front fence within 3 metres of a street should not exceed a height of 1.2 metres.		

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Design detail	The design of buildings, including: - Window and door proportions, - Scale and form, - Roof form and pitch, - Verandahs, eaves and parapets,

BAYSIDE PLANNING SCHEME

Requirement name	Requirement
	▪ Number of storeys, ▪ Materials and finishes, ▪ Facade articulation and detailing, ▪ Building siting, and ▪ Siting and design of driveways, garages or carports, should respect the preferred neighbourhood character of the area. New buildings should interpret the detailed elements of older dwellings that contribute to the neighbourhood character significance of the area in an innovative and contemporary manner that complements, rather than replicates, period dwelling styles. Second storey elements of new dwellings, and second storey additions to existing dwellings, should be sited and designed so that the single storey part of the building, including its roof form, is the dominant visual element when viewed from the street. This will require second storey elements to be: ▪ Set back a substantial distance from the front building façade and generally located behind the main ridgeline or highest point of the roof over the ground floor, and ▪ Designed to complement the form and proportions of the existing dwelling or, if a new dwelling, other dwellings in the street. A garage, carport or car space constrained by walls should be: ▪ Visually unobtrusive and compatible with the development and the preferred neighbourhood character. ▪ A maximum width of 4 metres where visible from the street. ▪ Located behind the front wall of the dwelling.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed buildings or works assist in reflecting and protecting the preferred neighbourhood character of the area.
- The extent to which any building to be demolished, extended or otherwise modified, contributes to the preferred neighbourhood character of the area.

02/04/2025
VC276**SCHEDULE 10 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY**

Shown on the planning scheme map as **NCO10**.

HIGHETT NEIGHBOURHOOD CHARACTER PRECINCTS**1.0**02/04/2025
VC276**Statement of neighbourhood character**

These former industrial areas are in transition to a residential use and form that complements the surrounding residential character. The mix of building styles will gradually transform, through redevelopment and reuse, to well-designed and contemporary residential buildings that sit comfortably in the traditional residential streetscape. All buildings will incorporate a substantial, landscaped front setback and garden areas within the development that provide a visual link and buffer between the new and established residential areas. Comprehensive redevelopment of sites is encouraged and where this occurs, the building design will be closely aligned with key elements of form, style, vehicular access and materials in the surrounding residential areas. Adapted buildings will also reflect key elements of the surrounding residential areas in the façade design, vehicular access and building forms. The former built form and use will be acknowledged through subtle elements of siting, while ensuring that the high architectural and amenity standards of the surrounding area are reflected and maintained.

2.002/04/2025
VC276**Neighbourhood character objective**

To improve the interface between former industrial areas and the surrounding traditional residential areas.

To encourage the transition of the area to residential use.

To create more consistent and attractive streetscapes through improvements to existing setbacks and building facades.

To encourage a building form and style more closely aligned with the character of the traditional suburban surrounds.

To encourage townhouse style medium density housing development that reflects the surrounding character through building form, street setbacks and the use of materials.

To allow setbacks from side and rear boundaries that reflect the existing pattern of setbacks, where appropriate.

To ensure that all setbacks are well landscaped.

3.002/04/2025
VC276**Permit requirement**

A permit is required to construct or extend an outbuilding normal to a dwelling.

4.008/09/2025
VC282**Modification to Clause 54 and Clause 55 standards**

Standard	Modified Requirement
Street setback A2-1 and B2-1	Walls of buildings should be set back a minimum of 6 metres from any street frontage or sideage.
Side and rear setbacks A2-3 and B2-3	A new building not on or within 150mm of a boundary should be set back from side and 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. The above requirement does not apply to a boundary which abuts one of the following properties: 24, 24A, 26, 28 and 30 Tibrockney Street, 21 Beaumaris Parade, 6 and 7 Noyes Street, 2, 4, 6 and 8 Clements Street, 5 Sydenham Street and 183, 185-187, 189, 191, 193, 195 and 197 Bay Road, Highett.

BAYSIDE PLANNING SCHEME

Standard	Modified Requirement
	Abutting these properties, a new building not on or within 150mm of a boundary should be set back 2 metres from the side boundary and 3 metres from the rear boundary, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 2 metres for every metre of height over 6.9 metres. Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard. Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
Site coverage A2-5 and B2-5	Where existing buildings are to be re-used, increase the permeable area available on-site for landscaping, and do not increase the building site coverage if over 60%. In a new development, the building site coverage should not exceed 60%.
Access B2-6	Remove existing excessive width vehicular crossings and provide standard residential crossover widths. Provide no more than one vehicular crossover per typical residential site width street frontage or sideage.
Parking location B3-2	Minimise hard paving in front and side setbacks, and remove existing car parking in front setback areas. Locate car parking spaces, garages and car ports to the rear or side of the building.

5.0

02/04/2025
VC276

Other requirements

Requirement name	Requirement
Landscaping	Provide garden areas and include substantial vegetation within the street setback area. Consider the use of more innovative landscaping options such as planter boxes, climbers, creepers and vertical gardens in locations with no or small side or rear boundary setbacks. Provide balconies and outdoor courtyards with space for vegetation that may be visible from the street.
Design detail	Provide: ■ Façade articulation and detailing; ■ Materials, finishes and colours; ■ Pitched roof form, that respect the preferred neighbourhood character of the surrounding residential area. Design garage doors and car parking structures to integrate with the building colours and materials.

6.0

02/04/2025
VC276

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.05 in addition to those specified in Clause 43.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which any buildings or works assist in respecting and contributing to the preferred neighbourhood character of the area.
- The extent to which any buildings and works assist in integrating the area with the surrounding residential area.

BAYSIDE PLANNING SCHEME

- Whether any new building or alterations to an existing building provide adequate street frontage setbacks to reflect the predominant pattern in nearby residential areas.
- Whether the proposal includes sufficient landscaping.

Background documents

City of Bayside Highett Neighbourhood Character Review (Planisphere, March 2011)

43.06

25/02/2025
VC257

BUILT FORM OVERLAY

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

Purpose

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

To facilitate higher density development that provides for high amenity living and working environments close to infrastructure and public transport.

To ensure development contributes positively to the functionality and amenity of the area.

To deliver public realm improvements, and where appropriate, additional public benefits in conjunction with new development.

To encourage land consolidation to facilitate higher density development.

To encourage a diversity of housing types and affordable housing.

To identify areas where specific design and built form requirements apply.

43.06-1

25/02/2025
VC257

Development objectives

A schedule to this overlay may specify development objectives.

43.06-2

25/02/2025
VC257

Development framework

A schedule to this overlay must contain a development framework.

The development framework may consist of maps, plans, character statements and tables.

The development framework may:

- Outline the planned urban structure for the land including the distribution of building typologies.
- Contain a table specifying the building typologies and future character for the land or each part of the land.
- Include a movement and place framework that is consistent with *Movement and place in Victoria* (Department of Transport, February 2019).
- Include a public realm and open space framework.
- Specify the anticipated dwelling number and floorspace yields for the land or each part of the land.
- Identify sensitive interfaces and areas where built form needs to transition to the built form in the surrounding area.
- Identify areas where land consolidation will be encouraged to facilitate the preferred scale of development.
- Identify new streets, lanes, arcades and through building connections.
- Identify views to significant landmarks and features that should be maintained.
- Identify land with significant terminating vistas in the public realm that require distinctive development.
- Identify heritage places that are specified in the schedule to the Heritage Overlay.

43.06-3

25/02/2025
VC257

Master plan requirements

A schedule to this overlay may specify land to which the master plan requirements in clause 43.06-3 apply.

Requirement before a permit is granted

If a schedule to this overlay specifies that the master plan requirements in this clause apply to land, a permit must not be granted to use or subdivide the land, or to construct a building or construct or carry out works on the land, until a master plan has been prepared in accordance with this clause to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority.

A permit granted must be generally in accordance with the master plan.

Preparation of a master plan

A master plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A master plan must describe:

- The land to which the plan applies.
- The proposed use, development and floor area of each part of the land.
- Any staging or sequencing of development needed.
- The scale of development on the land.
- The siting and orientation of buildings.
- Any open space, vehicle access and pedestrian links required.
- Key interfaces.
- Any stormwater management measures, including any infrastructure and alternative water sources or treatments.
- Any other requirements specified for the master plan in a schedule to this overlay.

The master plan may be amended to the satisfaction of the responsible authority.

43.06-4

25/02/2025
VC257

Operation

Relationship to other provision of this planning scheme

A schedule to this overlay may specify that if there is any inconsistency between the outcomes and standards in this overlay or a schedule to this overlay and any other provision in this planning scheme, the outcomes and standards in this overlay or a schedule to this overlay prevail.

Outcomes and standards

This overlay includes, and a schedule to this overlay may include:

- **Outcomes.** An outcome sets out the expectations of what will be achieved in a development.
- **Standards.** A standard contains a measure or condition related to the corresponding outcome.
- **Decision guidelines.** Decision guidelines set out the matters that the responsible authority must consider before deciding if an outcome is met.

Each standard in this overlay is, and included in a schedule to this overlay must be, identified as:

- a **discretionary standard** expressed using ‘should’ or labelled as ‘discretionary’; or
- a **mandatory standard** expressed using ‘must’ or labelled as ‘mandatory’.

A standard (whether a mandatory or discretionary standard) may also be nominated as a **deemed to comply standard**, using ‘complies if’ or labelled as ‘deemed to comply’.

If a mandatory or discretionary standard is met, the corresponding outcome may be met.

If a deemed to comply standard (whether a mandatory or discretionary standard) is met, the corresponding outcome is deemed to have been met and the responsible authority must not consider, and is exempt from considering, any decision guidelines corresponding to that outcome.

Quantitative standards (where a specified measure is to be achieved) may be expressed using the terms 'minimum' or 'maximum'.

If a quantitative standard is expressed using the term 'minimum', that standard is met if a development meets or exceeds the specified measure.

If a quantitative standard is expressed using the term 'maximum', that standard is met if a development does not exceed the specified measure.

If a quantitative standard is not expressed using the terms 'minimum' or 'maximum' but is instead an exact measure, that standard is met if a development exactly meets the specified measure.

A schedule to this overlay may:

- Specify that any outcome in this overlay does not apply.
- Specify that a standard in this overlay does not apply.
- Specify additional standards for any outcome in this overlay.
- Vary, replace or make mandatory any standard in this overlay.
- Specify decision guidelines for any outcome in this overlay.
- Specify outcomes, standards and decision guidelines for any other matter relating to design or built form.

If a schedule to this overlay specifies that an outcome does not apply, any corresponding standard also does not apply.

If a schedule to this overlay specifies that a permit is required to construct a fence, a standard for fencing must be specified in that schedule.

Note: The relevant measures for standards will typically be presented in a schedule to this overlay as maps or tables. The maps and tables in a schedule are to be read in conjunction with the applicable standard in this overlay.

Requirements to be met

Except if a public benefit is provided in accordance with a public benefit uplift framework to the satisfaction of the responsible authority or if a schedule to this overlay specifies otherwise, the construction of a building and the construction and carrying out of works:

- Must meet the outcomes specified in this overlay or a schedule to this overlay.
- Must meet any mandatory standard specified in this overlay or a schedule to this overlay.
- Should meet any discretionary standard specified in this overlay or a schedule to this overlay. However, if the responsible authority is satisfied that an application for an alternative design solution meets the outcome, the alternative design solution may be considered acceptable.
- Can meet a deemed to comply standard, and if it does, it is deemed to meet the corresponding outcome for that standard.

43.06-5

25/02/2025
VC257

Public benefit uplift framework

A schedule to this overlay may specify a mandatory standard that can only be exceeded if a public benefit is provided.

A schedule may set out public benefits and how they are to be calculated.

Public benefits may include:

- Affordable housing.
-

- Public realm works.
- Public open space.
- Strategic land uses.
- Any other works, services or facilities that benefit the community living in, working in or visiting the area to which this overlay applies.

Notes:

1. *Public benefits under this provision are calculated over and above any requirements set out in clause 45.01 (Public Acquisition Overlay), clause 45.06 (Development Contributions Plan Overlay), clause 45.09 (Parking Overlay), clause 45.10 (Infrastructure Contributions Plan Overlay), clause 45.11 (Infrastructure Contributions Overlay) or clause 53.01 (Public open space contribution and subdivision) in this planning scheme and any open space requirement specified in a schedule to this overlay.*
2. *In activity centres, public benefits are intended to relate to site specific or local area benefits such as new pedestrian links or improvements to the public realm.*

Permit condition requirement

In deciding to grant a permit to construct a building or construct or carry out works that exceeds a standard on the basis that a public benefit will be provided, the responsible authority must include a condition that requires the provision of the benefit to be secured by an agreement made under section 173 of the Act.

The above requirement to include a condition does not apply to a decision to grant an amendment to a permit if the amendment does not increase the extent to which the permitted buildings or works exceed a standard.

43.06-6

20/04/2026
VC307

Buildings and works

Permit requirements

A permit is required to construct a building or construct or carry out works. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To the installation of an automatic teller machine.
- To an alteration to an existing building facade if:
 - The alteration does not include the installation of an external roller shutter.
 - Standard BF09 is met.
- To an awning that projects over a road if it is authorised by the relevant public land manager.
- To buildings and works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- To external works to provide access for persons with disabilities that comply with all legislative requirements.

A permit is required to construct a fence if specified in a schedule to this overlay.

VicSmart applications

Subject to clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ An outdoor swimming pool. The buildings and works must be associated with a dwelling.	Clause 59.05
Construct a building or construct or carry out works with an estimated cost of up to \$700,000 where the land is in a commercial zone or special purpose zone (other than the Urban Floodway Zone, Urban Growth Zone or Port Zone).	Clause 59.05

43.06-706/01/2026
VC303**Outcomes and standards****43.06-7.1**06/01/2026
VC303**Building typology and future character****Outcome**

Development that:

- Responds to the planned urban structure, building typologies and future character for the land in the development framework.
- Responds appropriately to any heritage places and transition areas identified in the development framework.
- Delivers walkable neighbourhoods with a high-quality, permeable pedestrian network through the creation of new streets, lanes, arcades or connections through buildings.
- Protects views to significant landmarks or features identified in the development framework.
- Encourages land consolidation to facilitate the preferred scale of development.

Standard BF01

Development must be consistent with the urban structure, building typologies and future character for the land in the development framework.

43.06-7.206/01/2026
VC303**Building heights****Outcome**

Building heights that:

- Maintain an inviting and comfortable environment within the public realm in terms of its sense of sunlight, daylight and wind conditions.
- Provide a transition in scale to adjacent areas with less intensive built form expectations.
- Protect views to significant landmarks or features identified in the development framework.

Standard BF02

Building heights:

- Should be consistent with any applicable discretionary standard specified for this outcome in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for this outcome in a schedule to this overlay.

Maximum building heights specified in a standard do not apply to:

- Non habitable architectural features.
- Service equipment and structures including plant rooms, lift overruns, structures associated with green roof areas, including access stairs and lifts, unenclosed pergolas for communal areas, shading devices, and other such equipment.

43.06-7.3

06/01/2026
VC303

Floor area ratios

Outcome

Floor area ratios that provide a scale and density to support population and employment growth, consistent with the building typologies and future character specified in the development framework.

Standard BF03

The floor area ratio of development:

- Should be consistent with any applicable discretionary standard specified for this outcome in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for this outcome in a schedule to this overlay.

43.06-7.4

06/01/2026
VC303

Overshadowing of open space or public realm

Outcome

Development that:

- Maintains solar access to key pedestrian streets and existing or proposed public open spaces identified in a schedule to this overlay.
- Achieves a balance between supporting growth and delivering high levels of amenity in the context of the outcomes that apply to the land.

Standard BF04

Buildings should not cast any additional shadow beyond that cast by the applicable preferred or maximum street wall or front wall height specified in a schedule to this overlay for standard BF05 and existing buildings over:

- The existing or proposed public open spaces identified in a schedule to this overlay for the hours specified in that schedule.
- The existing or proposed key pedestrian streets identified in a schedule to this overlay for the hours specified in that schedule.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

43.06-7.5

06/01/2026
VC303

Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Outcomes

Front setbacks, street wall and front wall heights, and setbacks above the street wall and front wall that:

- Provide strong spatial definition to the public realm while maintaining good daylight access to open spaces, streets and lower levels of buildings and clear views to the sky, where possible.
-

- Avoid visually overwhelming the public realm.
- Are sympathetic to:
 - Any heritage place identified in the development framework.
 - The future character specified in the development framework.
- Contribute to the privacy of any ground floor dwellings.
- Distinguish upper levels from the street wall or front wall.

Landscaped setbacks, including setbacks that can accommodate deep soil planting and canopy trees, that enhance the amenity of the public realm in locations identified in a schedule to this overlay.

Standard BF05

Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall and landscaped setbacks:

- Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.

Any maximum street wall or front wall height specified in a schedule to this overlay does not apply to non-habitable architectural features that exceed the specified maximum height by not more than 3 metres.

If a new building is on a corner with two different maximum street wall or front wall heights specified in a schedule to this overlay, the taller maximum street wall or front wall height applies to the frontage with the lower maximum street wall or front wall height for a distance of 20 metres along the street frontage.

43.06-7.6

06/01/2026
VC303

Side and rear setbacks and building separation within a site

Outcomes

Side and rear setbacks that:

- Respond to sensitive interfaces.
- Provide for landscaping.
- Maintain access to daylight and sunlight in streets, laneways and pedestrian connections.
- Deliver high levels of amenity within buildings having regard to outlook, daylight and overlooking.
- Achieve privacy through setbacks rather than screening.

Separation between buildings within the same site that:

- Delivers high levels of amenity within buildings having regard to outlook, daylight and overlooking.
- Offsets direct views between buildings.
- Achieves privacy by building separation rather than screening.

Standard BF06

Side and rear setbacks and building separation within a site:

- Should be consistent with any applicable discretionary standard specified for these outcomes in a schedule to this overlay.
- Must be consistent with any applicable mandatory standard specified for these outcomes in a schedule to this overlay.

Any maximum length for a new wall or carport constructed on a side or rear boundary of a lot specified in a standard for these outcomes does not apply where the slope, retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into side and rear setbacks.

Landings with an area of not more than 2 square metres and a height of less than 1 metre, stairways, ramps, pergolas, shade sails and carports may encroach into side and rear setbacks provided they do not overshadow neighbouring open space.

43.06-7.7

06/01/2026
VC303

Building layout and adaptability

Outcomes

Buildings that:

- Can accommodate a range of tenancy sizes, including smaller tenancies in the lower levels of the building.
- Maximise passive surveillance and interaction with the public realm.
- Provide an appropriate interface with the public realm.

Floor to floor heights that:

- Allow retail and commercial uses that support a high level of amenity and adaptation over time.
- Have ground floor heights that allow both retail and commercial uses.

Standard BF07

Buildings should:

- Include upper level balconies and windows with a direct visual connection to the public realm.
- Avoid tinted, opaque or high reflectivity glass which obscures views between the public realm and building interior.
- Sleeve large floorplate tenancies, car parking or service areas where they interface with the public realm.
- Avoid narrow publicly accessible alcoves and recesses that lack a clear public purpose.
- Avoid entrapment areas and areas with limited passive surveillance.

Floor to floor heights:

- Should be consistent with any applicable discretionary standard specified for this outcome in the schedule to this overlay.
 - Must be consistent with any mandatory standard specified for this outcome in a schedule to this overlay.
-

43.06-7.806/01/2026
VC303**Wind effects on the public realm****Outcome**

Development that minimises wind impacts to create and maintain a safe and pleasant environment in the public realm for pedestrians to walk, sit or stand.

Standard BF08

Development of five or more storeys, excluding a basement:

- must not cause new or exacerbate existing unsafe wind conditions specified in Table 1 in public land, publicly accessible areas on private land, private open space and communal open space; and
- should achieve comfortable wind conditions specified in Table 1 in public land and publicly accessible areas on private land,

within the assessment distance shown in Diagram 1.

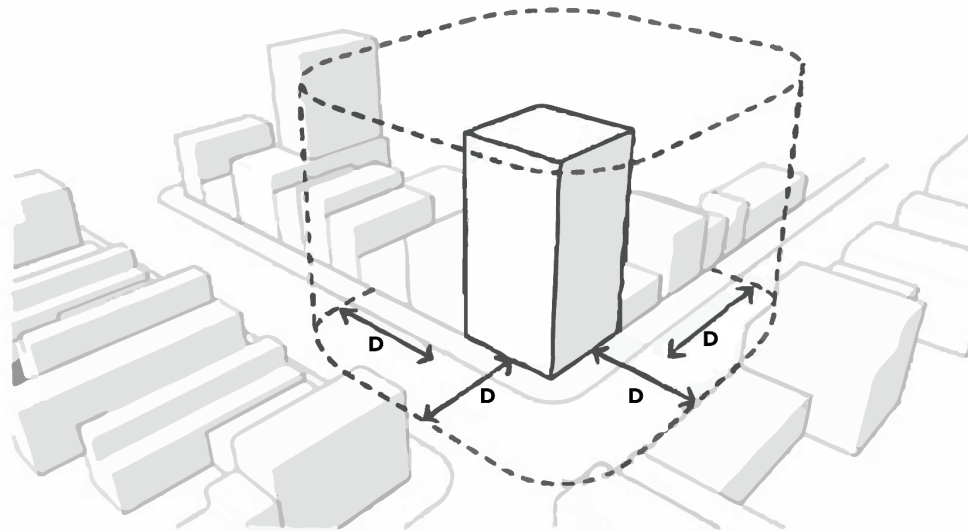
Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens, should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 1: Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

Diagram 1: Assessment distance for wind effects



**ASSESSMENT DISTANCE D = GREATER OF:
L/2 (HALF LONGEST WIDTH OF BUILDING) OR
H/2 (HALF OVERALL HEIGHT OF BUILDING)**

43.06-7.9

06/01/2026
VC303

Active frontages

Outcome

Active frontages that:

- Contribute to the use, activity, safety and interest of the public realm.
- Provide continuity of ground floor activity along streets and laneways.
- Allow for clear identification of building entries and unobstructed views through openings into the ground floor of buildings.

Standard BF09

An entry or window should be provided for at least the specified percentage of the combined length of the ground level interfaces of a building on frontages specified in a schedule to this overlay.

The entry or window measurement includes:

- Stall risers to a height of 700mm.
- Pilasters.
- Window and door frames.
- Windows that have clear glazing without stickers or paint that obscures views.

For corner sites, active frontages on the main street should extend along the side street to create a sense of address with clear glazing and allow for side entry where appropriate.

Security grills or mesh should:

- Be transparent.
- Not block views into tenancies at night.
- Be mounted internally to the shop windows.

The ground level frontage requirements do not apply to the development of a contributory or significant heritage place specified in the schedule to the Heritage Overlay.

Development of a contributory or significant heritage place specified in the schedule to the Heritage Overlay should not reduce existing compliance with this standard.

43.06-7.10 Pedestrian connections

06/01/2026
VC303

Outcome

Pedestrian connections that are:

- Safe and attractive.
- Accessible by people of all abilities.
- Easily identified and legible.
- Designed to enable extended stays within a space such as sitting and eating.

Standard BF10

If a schedule to this overlay identifies a pedestrian connection as:

- ‘Specific’, development should provide the connection along the alignment indicated.
- ‘Indicative’, development should provide the connection along the alignment indicated or a different alignment that provides the same connectivity.

Pedestrian connections should be:

- Direct, attractive, well-lit and provide a line of sight from one end to the other.
- Safe and free of entrapment spaces and areas with limited passive surveillance.
- Publicly accessible at ground level and appropriately secured by an appropriate mechanism where relevant.
- Overlooked by windows, balconies, or both, on both sides, including at ground floor level.
- Designed to consider the function and design of the full length and width of the connection, including the functional layout, levels and landscaping where it spans multiple lots.

43.06-7.11 Weather protection

06/01/2026
VC303

Outcome

Weather protection that:

- Delivers pedestrian comfort in the public realm via protection from rain, wind and summer sun.
- Uses canopies that are functional, of high-quality design and contribute to the human scale of the street.

Standard BF11

Development should include continuous weather protection along the streets and lanes identified in the development framework except where a heritage place warrants an alternative approach.

Weather protection canopies should be:

- Between 3.5 metres and 5 metres above ground measured to the underside of the eave.
 - Designed to minimise impact on existing or proposed street trees.
 - Broken in design to reflect the prevailing grain and width of building frontages.
-

43.06-7.12 Landscaping and fencing

06/01/2026
VC303

Outcome

Landscaping and fencing that:

- Delivers a safe and attractive public and private realm.
- Balances occupant privacy with activation and surveillance of the public realm.
- Reinforces underlying natural landscape character including biodiversity values.
- Provides shade in summer, including from canopy trees.
- Does not create long expanses of blank wall facing the public realm.
- Provides appropriate delineation between the public and private realm.

This outcome only applies to a fence if a permit is required to construct a fence under this overlay and a schedule to this overlay specifies a standard for fencing.

Standard BF12

Landscaping should:

- Provide shade to outdoor areas exposed to summer sun by canopy trees or shade structures.
- Provide space for sufficient soil depth to support the proposed vegetation, including canopy trees.
- Use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Include climbing plants or smaller plants in planters and outdoor areas, including communal outdoor open space.
- Respond to the soil type and drainage patterns of the site.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.

43.06-7.13 Car parking design

06/01/2026
VC303

Outcome

Car parking that:

- Minimises the impact of car parking on the public realm.
- Minimises adverse impact on pedestrian and movement networks.
- Use land efficiently.
- May be adapted for alternative uses in the future.

Standard BF13

Vehicle access to car parks should not be located on roads identified in a schedule to this overlay as roads where vehicle access to car parks is discouraged.

Gates or doors to car parks should be fitted close to the building alignment to avoid the creation of unsafe entrapment space, and designed as integrated elements of the building facade.

The location and width of car park entries should:

- Minimise impacts on the pedestrian network.
- Avoid entries on sites where they impact on the activation and safety of the public realm.

Car parks should be designed to enable future adaptation without the need for demolition or significant rebuilding. This may include minimising load bearing walls and ramped areas.

Above ground level car parking should:

- Be sleeved to streets and open spaces with active frontages.
- Have a floor to floor height of at least:
 - 4 metres for the ground floor.
 - 3.5 metres for other floors.

43.06-7.14 Building services

06/01/2026
VC303

Outcome

Building services that:

- Are integrated in the building design and minimise impacts on the public realm.
- Maximise the quality and activation of the public realm.
- Do not dominate the pedestrian experience and are designed as an integrated design element.

Standard BF14

The location and width of loading bays should minimise impacts on the pedestrian network.

Ground floor building services, including waste, parking and loading access, should be minimised and located away from streets and public spaces, or within basements or upper levels.

Waste and loading access should not be located on the roads identified in a schedule to this overlay as roads where waste and loading access is discouraged.

Spaces for waste or loading should not adversely impact safety and continuity of the public realm.

Access doors to any waste, parking or loading area should:

- Be positioned no more than 500 millimetres from the street edge.
- Be designed as an integrated element of the building.

Service cabinets should:

- Be located internally with waste, parking or loading areas where possible.
- Not visually dominate street frontages.
- Use high-quality materials.

Rooftop plant, services and antennae should be integrated into the overall building form.

43.06-7.15 Exterior design

06/01/2026
VC303

Outcome

Exterior design that:

- Responds to the preferred built form character of its context.
 - Is visually interesting when viewed up close and from a distance.
 - Incorporates sufficient design detail in the lower levels of a building to deliver a visually rich and engaging pedestrian experience.
 - Delivers high-quality design on all visible sides of a building and on rooftops visible from the public realm.
-

- Provides visual connection between the public realm and interior spaces at the ground level interface.
- Provides adequate clearance heights that do not obstruct the service functions of a street or laneway.

Standard BF15

Facades should:

- Provide for depth and a balance of light and shadow on the street wall or front wall and upper levels through the use of balconies, integrated shading, rebates or expression of structural elements.
- Avoid finishes with a perpendicular reflectivity of more than 15 per cent, measured at 90 degrees to the facade surface or as specified in a schedule to this overlay.

Blank walls that are visible from the public realm should be articulated by textured materials, patterning or artwork.

Facade projections and balconies should:

- Be at least 5 metres above any public space measured from ground level.
- Allow for growth of existing and planned street trees in upper level projections and canopies.
- Limit upper level projections, such as adjustable screens or windows, cornices or other architectural features, into streets or laneways up to 300 millimetres.
- Not include enclosed balconies or habitable floor space projecting over the public realm.

Materials should be:

- Natural, tactile and visually interesting at the lower levels near the public interface to reinforce a human scale.
- Durable, robust and low maintenance in the higher parts of a building.

Materials and finishes, such as painted concrete or ventilation louvres, should be avoided at the lower levels where they undermine the visually rich, tactile quality of streets and laneways.

43.06-8

25/02/2025
VC257

Subdivision

Permit requirements

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Any requirement in a schedule to this overlay must be met.

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

Public open space contribution requirement

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in a schedule to this overlay (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both).

If a public open space contribution requirement is specified in a schedule to this overlay:

- The public open space contribution requirement of clause 53.01 does not apply.
- The exemptions in clause 53.01-1 and clause 53.01-2 apply to the requirement.

If a public open space contribution requirement is not specified in a schedule to this overlay, the requirements of clause 53.01 continue to apply.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

43.06-9

25/02/2025
VC257

Application requirements

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A design response that explains how the proposed design responds to:
 - The development framework and any development objectives specified in a schedule to this overlay.
 - Any applicable outcome and standard specified in this overlay or a schedule to this overlay.
- Correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.
- Any information specified in a schedule to this overlay.

Subdivision

An application to subdivide land must be accompanied by any information specified in a schedule to this overlay.

43.06-1025/02/2025
VC257**Exemption from notice and review**

An application under any provision of this planning scheme to construct a building or to construct or carry out works, or to subdivide land, is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless a schedule to this overlay specifies otherwise.

43.06-1125/02/2025
VC257**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in clause 65 and any decision guidelines specified in a schedule to this overlay, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The development framework.
- Any applicable public benefit uplift framework.
- *Movement and place in Victoria* (Department of Transport, February 2019).
- The level of amenity for building occupants.
- Movement systems through and around the site including the movement of pedestrians and cyclists, vehicles providing for supplies, waste removal, emergency services, and public transport and car parking.

43.06-1225/02/2025
VC257**Mandatory permit conditions**

The responsible authority must include any mandatory permit condition specified in this overlay or schedule to this overlay in deciding to grant a permit under this overlay or for land for which a master plan has been prepared in accordance with clause 43.06-3.

Floor area ratio mandatory permit condition

If a schedule to this overlay specifies a floor area ratio for a site for the purposes of standard BF03, in deciding to grant a permit for the development of part of that site, unless a schedule to this overlay specifies otherwise, the responsible authority must include a condition that requires the owner of the land to enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that specifies a floor area ratio that applies to the development of the balance of the site.

43.06-1325/02/2025
VC257**Signs**

Sign requirements are at clause 52.05.

A schedule to this overlay may specify additional requirements for the development of land for signs.

43.06-1425/02/2025
VC257**Transitional provisions**

A schedule to this overlay may specify transitional provisions.

43.06-1506/01/2026
VC303**Meaning of terms**

In this overlay and a schedule to this overlay:

- ***building services*** means areas used for the purposes of loading, waste management and electrical, communications, gas, water and fire prevention infrastructure;
- ***public benefit uplift framework*** means a framework included or explicitly referenced in a schedule to this overlay that sets out allowable public benefits and how they are to be calculated;

BAYSIDE PLANNING SCHEME

- ***development framework*** means the development framework contained in a schedule to this overlay;
 - ***floor area ratio*** means the gross floor area above ground of all buildings on a site, including all enclosed areas, services, lifts, car stackers and covered balconies, divided by the area of the site. Voids associated with lifts, car stackers and similar service elements should be considered as multiple floors of the same height as adjacent floors or 3.0 metres if there is no adjacent floor;
 - ***laneway*** means a road reserve of a public highway 9 metres wide or less;
 - ***master plan*** means a master plan prepared in accordance with clause 43.06-3;
 - ***pedestrian connection*** means a publicly accessible street with a defined footpath, a shared zone, a pedestrian only laneway (covered or open), an arcade, a through building connection and an atrium;
 - ***sleeve*** means to position active uses between large floorplate tenancies, car park or service areas and the public realm.
-

11/04/2025
GC252

SCHEDULE 1 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO1**.

MOORABBIN ACTIVITY CENTRE

1.0

11/04/2025
GC252

Development objectives

To facilitate a revitalised and cohesive centre supported by access to key active and public transport connections with a pedestrian-friendly environment featuring tree-lined streets and pocket parks.

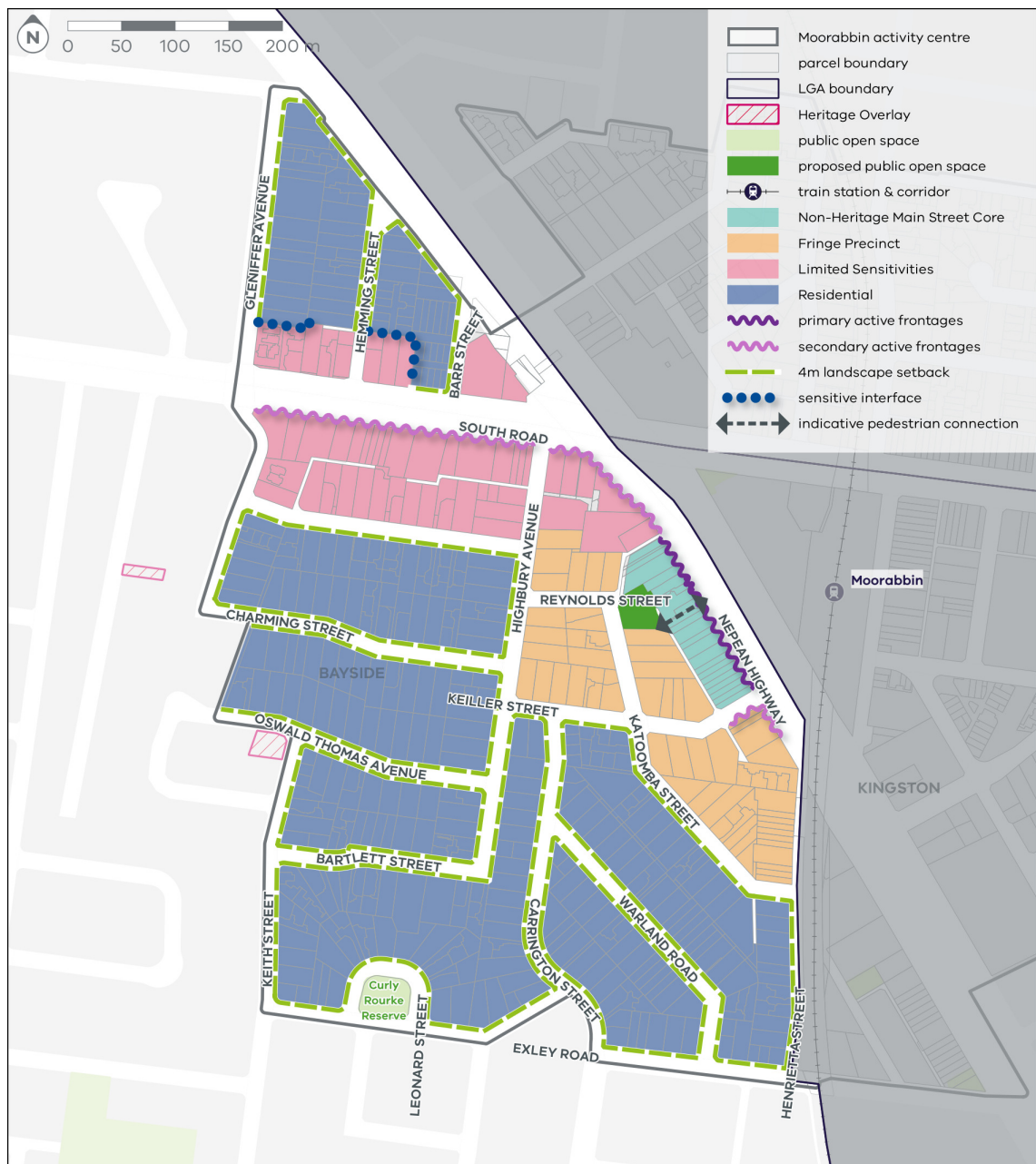
To facilitate development of high-quality architecture with height ranges of 21 metres to 27 metres (6 to 8 storeys) and transition the scale of development to the activity centre catchment.

To enable development that enhances the public realm through high quality design and appropriately responds to built heritage and environmental constraints.

To minimise underdevelopment.

Development framework

Map 1 to Schedule 1 to Clause 43.06: Development framework



The building typologies and future character for each part of the land is set out in Table 1.

Table 1: Building typology future character statements

Building typology as shown on Map 1	Future character
Non-Heritage Main Street Core	An urban form characterised by commercial development at the ground floor, with commercial or residential development above. Floor to ceiling heights that support commercial tenancies at the ground and first floor to achieve activation at the street. Redevelopment with taller built form is supported with street wall heights typically of 11 m/three storeys.

BAYSIDE PLANNING SCHEME

Building typology as shown on Map 1	Future character
	New buildings should be medium-rise (up to 27 m/eight storeys) with modest setbacks at upper levels to balance amenity to the public realm. Vehicle access should be provided off the main street and be from the rear of the property where possible.
Fringe	New development should be medium-rise (up to 21 m/six storeys). Where setbacks are provided at upper levels these should balance amenity to the public realm, with opportunities for future growth. Additional setbacks and landscaping controls will ensure an appropriate interface to more sensitive land uses, including residential interfaces.
Limited Sensitivities	A mixture of commercial and residential built form is supported in the typology. New development will be expected to provide an active frontage to the public realm. New buildings should be medium-rise (up to 27 m/eight storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm. Larger sites will be able to accommodate taller form, particularly where setback standards are maintained.
Residential	Medium-rise development (up to 21 m/six storeys) with upper-level setbacks. Development will respond to interfaces with existing lower scale residential development. Front setbacks will provide landscaping opportunities and larger side and rear setbacks should be provided.

3.0

11/04/2025
GC252

Master plan requirements

Land to which the master plan requirements apply

None specified.

Requirement before a permit is granted

None specified.

Requirements for a master plan

None specified.

4.0

11/04/2025
GC252

Public benefit uplift framework

None specified.

5.0

11/04/2025
GC252

Buildings and works

Permit requirement

None specified.

6.0

11/04/2025
GC252

Outcomes and standards

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any standard set out in clauses 54 to 58, unless an application has been made under either clause 53.22 or clause 53.23, which will prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1

Outcomes that do not apply

The outcome in clause 43.06-7.3 does not apply.

6.2

Standards

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

6.2-1

Building heights

Standard

Table 2 specifies whether the height range for areas as shown on Map 2 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

BAYSIDE PLANNING SCHEME

Map 2 to Schedule 1 to Clause 43.06: Building heights

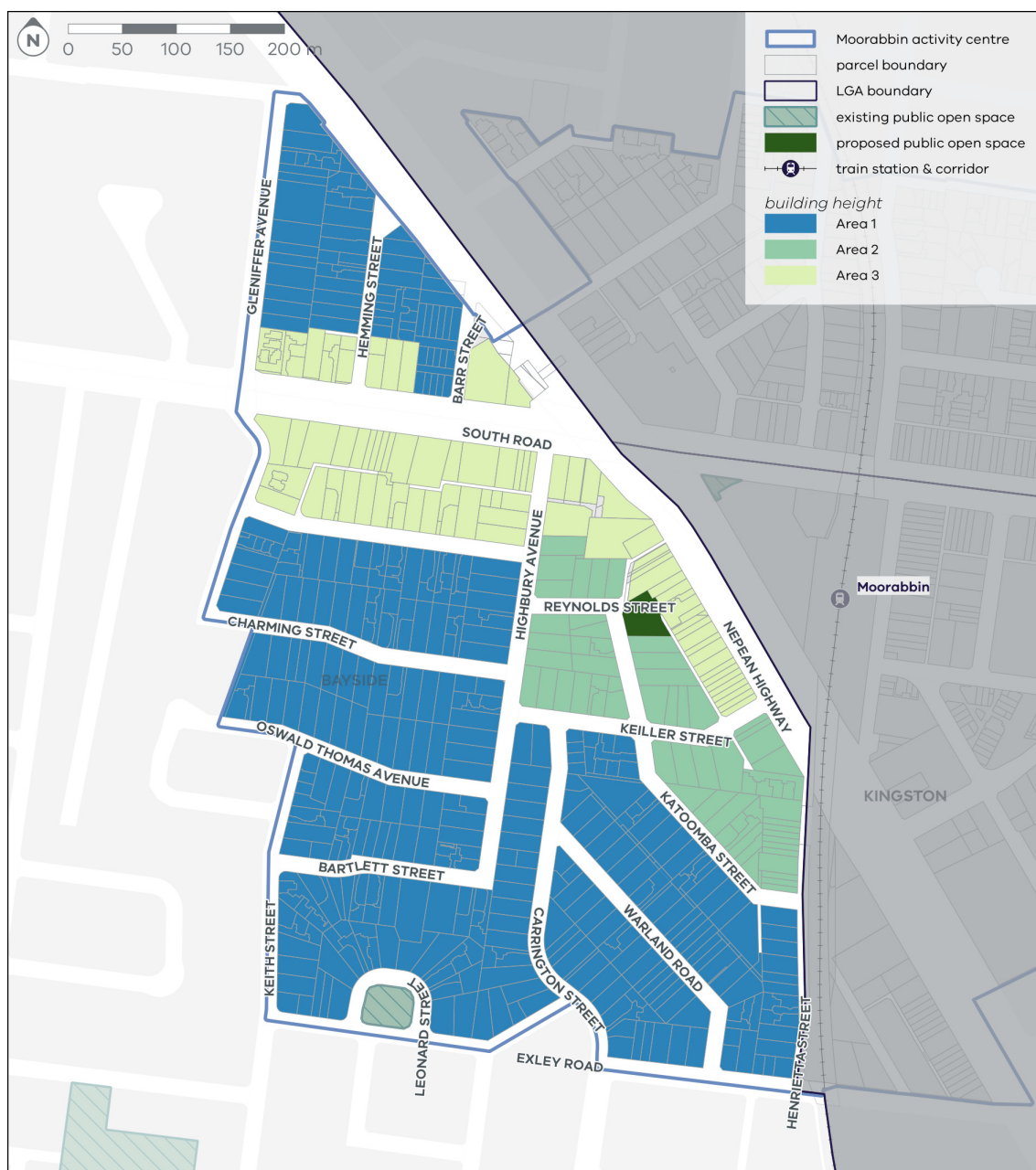


Table 2: Building heights

Building heights area as shown on Map 2	Minimum building height	Maximum building height	Mandatory or discretionary	Deemed to comply
Area 1	9.6m	21m	Discretionary	Yes, if within the minimum and maximum building height range specified

BAYSIDE PLANNING SCHEME

Building heights area as shown on Map 2	Minimum building height	Maximum building height	Mandatory or discretionary	Deemed to comply
Area 2	13m	21m	Discretionary	Yes, if within the minimum and maximum building height range specified
Area 3	13m	27m	Discretionary	Yes, if within the minimum and maximum building height range specified

6.2-2 Overshadowing of open space or public realm

Standard

Existing and proposed public open space and existing and proposed key pedestrian streets are identified in this schedule at Map 3 and at Table 3.

Table 3 specifies whether the overshadowing standards for areas shown on Map 3 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

BAYSIDE PLANNING SCHEME

Map 3 to Schedule 1 to Clause 43.06: Overshadowing of open space or public realm



Table 3: Overshadowing of open space or public realm

Overshadowing areas as shown on Map 3	Sun access	Mandatory or discretionary	Deemed to comply
Existing and proposed key pedestrian streets			
Boulevards	Maintain sun access to the central median between 10am and 2pm on 22 September	Discretionary	Yes
All other streets	Buildings should minimise additional overshadowing of	Discretionary	No

BAYSIDE PLANNING SCHEME

Overshadowing areas as shown on Map 3	Sun access	Mandatory or discretionary	Deemed to comply
	opposite footpaths between 10am and 2pm on 22 September. This sun access standard does not apply to buildings that meet the relevant discretionary standards in the following tables: ▪ Table 2 – Building heights ▪ Table 5 –Street wall height ▪ Table 6 – Setback above the street wall ▪ Table 7 – Landscape setbacks ▪ Table 12 – Front wall heights ▪ Table 13 – Setbacks above front wall		
Existing and proposed public open space			
High protection	No additional overshadowing between 10am and 3pm on 21 June	Mandatory	Yes
All other public parks and public open spaces (including proposed public open space)	Buildings should minimise additional overshadowing beyond shadow cast by the existing buildings between 10am and 2pm on 22 September This sun access standard does not apply to buildings that meet the relevant discretionary standards in the following tables: ▪ Table 2 – Building heights ▪ Table 5 –Street wall height	Discretionary	No

BAYSIDE PLANNING SCHEME

Overshadowing areas as shown on Map 3	Sun access	Mandatory or discretionary	Deemed to comply
	▪ Table 6 – Setback above the street wall ▪ Table 7 – Landscape setbacks ▪ Table 12 – Front wall heights ▪ Table 13 – Setbacks above front wall		

6.2-3

Front setbacks, street wall heights, setbacks above the street wall and landscaped setbacks

Standard

Front setbacks

Table 4 specifies whether the minimum front setbacks as shown on Map 4 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

BAYSIDE PLANNING SCHEME

Map 4 to Schedule 1 to Clause 43.06: Front setbacks



Table 4: Front setbacks

Minimum setback as shown on Map 4	Mandatory or discretionary	Deemed to comply
4m	Discretionary	Yes, if setback is the minimum or more

Street wall heights

Table 5 specifies whether the maximum street wall height as shown on Map 5 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

BAYSIDE PLANNING SCHEME

Map 5 to Schedule 1 to Clause 43.06: Street wall heights



Table 5: Street wall heights

Maximum street wall height as shown on Map 5	Mandatory or discretionary	Deemed to comply
11m	Discretionary	Yes, if street wall is the maximum or lower
1:1 ratio of road width to street wall height or 21m whichever is lesser	Discretionary	Yes, if street wall is the maximum or lower

Setback above the street wall

Setbacks above the street wall height should incorporate maximum of two setbacks to avoid an overly tiered built form.

Table 6 specifies whether the minimum setback above street wall is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 6: Setbacks above the street wall

Setbacks above street wall area as shown on Map 1	Minimum setback to front boundary	Mandatory or discretionary	Deemed to comply
Non-heritage Main Street Core typology	Any part of building above the proposed street wall up to 21m: 3m setback Any part of building above 21m: 3m setback plus 1m for every additional 1 m of building height	Discretionary	Yes, if setback is the minimum or more
Fringe Precinct typology	Any part of building above the proposed street wall up to 21m: 3m setback Any part of building above 21m: 3m setback plus 1m for every additional 1 m of building height	Discretionary	Yes, if setback is the minimum or more
Limited Sensitivities typology	1m setback for every additional 1m of building height above the maximum street wall height	Discretionary	Yes, if setback is the minimum or more

Landscapes setbacks

Table 7 specifies whether the minimum landscaped setback as shown on Map 4 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 7: Landscaped setbacks

Minimum setback as shown on Map 5	Mandatory or discretionary	Deemed to comply
4m	Discretionary	No

6.2-4 Side and rear setbacks and building separation within a site

The following standard of clause 43.06-7.6, BF06, does not apply:

- Any maximum length for a new wall constructed on a side or rear boundary of a lot does not apply 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.

BAYSIDE PLANNING SCHEME

Standard

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries according to Table 8 or Table 9. Side and rear setbacks in Table 8 and wall on boundary standards apply to all typologies except at the Residential typology areas or where the allotment boundary adjoins a Sensitive Interface as shown on Map 6. Side and rear setbacks for Residential typology areas and Sensitive Interfaces are shown in Table 9.

Side and rear setbacks should have a maximum of two side and rear setbacks incorporated above the street wall or podium to avoid a tiered built form.

Table 8 specifies whether the minimum setback to boundary line is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 8: Minimum side and rear setback

Any part of the building	Minimum setback to boundary line	Mandatory or discretionary	Deemed to comply
Up to and including 11m	4.5m where a habitable window or balcony is proposed 3m in all other instances.	Discretionary	Yes, if setback is the minimum or more
Above 11m up to and including 27m	4.5m		
Above 27m up to and including 40m	6m		
Above 40m	10m where a habitable window or balcony is proposed 9m in all other instances		

Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirement in Table 8 and Table 9 should be measured from the centreline of the laneway.

Table 9 specifies whether the minimum side and rear setbacks to residential typology areas and sensitive interfaces as shown on Map 6 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

BAYSIDE PLANNING SCHEME

Map 6 to Schedule 1 to Clause 43.06: Residential typology areas and sensitive interfaces

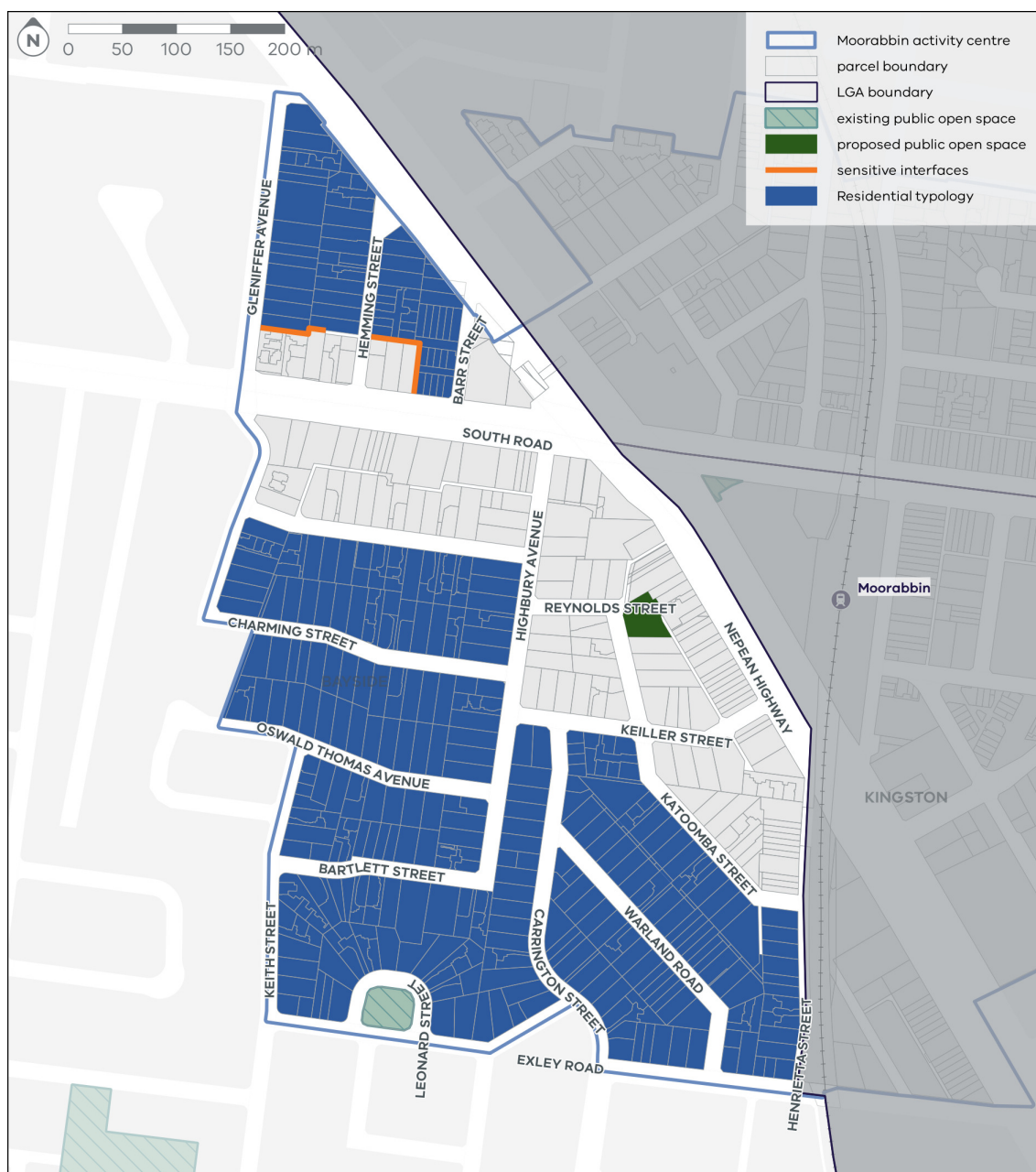


Table 9: Side and rear setbacks to residential typology areas and sensitive interfaces as shown on Map 6

Any part of the building	Minimum side and rear setback form habitable room/balcony (with outlook) to boundary line	Minimum side and rear setback from non-habitable room (with outlook) to boundary line	Mandatory or discretionary	Deemed to comply
Up to and including 10m	6m	4.5m	Discretionary	Yes, if setback is the minimum or more

BAYSIDE PLANNING SCHEME

Any part of the building	Minimum side and rear setback from habitable room/balcony (with outlook) to boundary line	Minimum side and rear setback from non-habitable room (with outlook) to boundary line	Mandatory or discretionary	Deemed to comply
Above 10m	6m	6m	Discretionary	Yes, if setback is the minimum or more

Walls on boundary

Where a wall constructed on or within 200mm of a boundary is proposed, the side and rear setback at Table 8 apply above the proposed wall on boundary.

A new wall constructed on or within 200mm of a side or rear boundary of a lot should not exceed 11 metres in height, unless:

- The lot width is less than 22 metres wide*, whereby a new wall constructed on or within 200mm of a side boundary should not exceed 27 metres in height.
- The lot width is equal to or greater than 22 metres wide* and less than 30 metres wide*, whereby a new wall may only be constructed on or within 200mm of one side boundary and should not exceed 27 metres in height.

*Note: Site width is measured as the site's average width, measured parallel to the frontage.

The above standards are discretionary in all typologies. The above standards are deemed to comply in all typologies.

6.2-5 Building layout and adaptability

Standard

Floor to floor heights should be provided in accordance with Table 10.

Table 10 specifies whether the minimum floor to floor height is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 10: Floor to floor height

Floor type	Minimum floor to floor height (metres)	Mandatory or discretionary	Deemed to comply
Commercial ground level	4.5m	Discretionary	Yes, if floor to floor height is the minimum or more
Commercial upper level	4m	Discretionary	Yes, if floor to floor height is the minimum or more
Residential (all)	3.2m	Discretionary	Yes, if floor to floor height is the minimum or more

6.2-6

Active frontages

Standard

Table 11 specifies whether the minimum entry or window percentage as shown on Map 7 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Map 7 to Schedule 1 to Clause 43.06: Active frontages



Table 11: Minimum entry or window percentage

Frontage type as shown on Map 7	Minimum entry or window percentage	Mandatory or discretionary	Deemed to comply
Primary active frontages	At least 80 percent clear glazing along the ground level frontage to a height of 2.5m.	Discretionary	No

BAYSIDE PLANNING SCHEME

Frontage type as shown on Map 7	Minimum entry or window percentage	Mandatory or discretionary	Deemed to comply
Secondary active frontages	At least 60 percent clear glazing along the ground level frontage to a height of 2.5m.	Discretionary	No

6.2-7 Car parking design

Standard

Development should provide its parking requirements on site through the use of basement parking, accessed via laneways, if possible.

6.2-8 Exterior design

Standard

Communal and private open space that is located above the upper storey of a building should be designed to limit views into secluded private open space and habitable room windows of adjacent dwellings and integrate with the architectural style and form of the building.

6.3 Other outcomes and standards

6.3-1 Front wall height and front upper level setback for buildings with a front setback

Outcome

Buildings contribute positively to the streetscape, maintain a human scale and do not overwhelm the public realm.

Standard BF16

Development should provide front wall heights and upper level building setbacks above the front wall height as set out in Map 8 and Tables 12 and 13.

Setbacks above the front wall should incorporate a maximum of two setbacks to avoid an overly tiered built form.

Table 12 specifies whether the maximum front wall height as shown on Map 8 is a deemed to comply standard and whether it is a mandatory or discretionary standard.

BAYSIDE PLANNING SCHEME

Map 8 to Schedule 1 to Clause 43.06: Front wall height and front upper level setback for buildings with a front setback

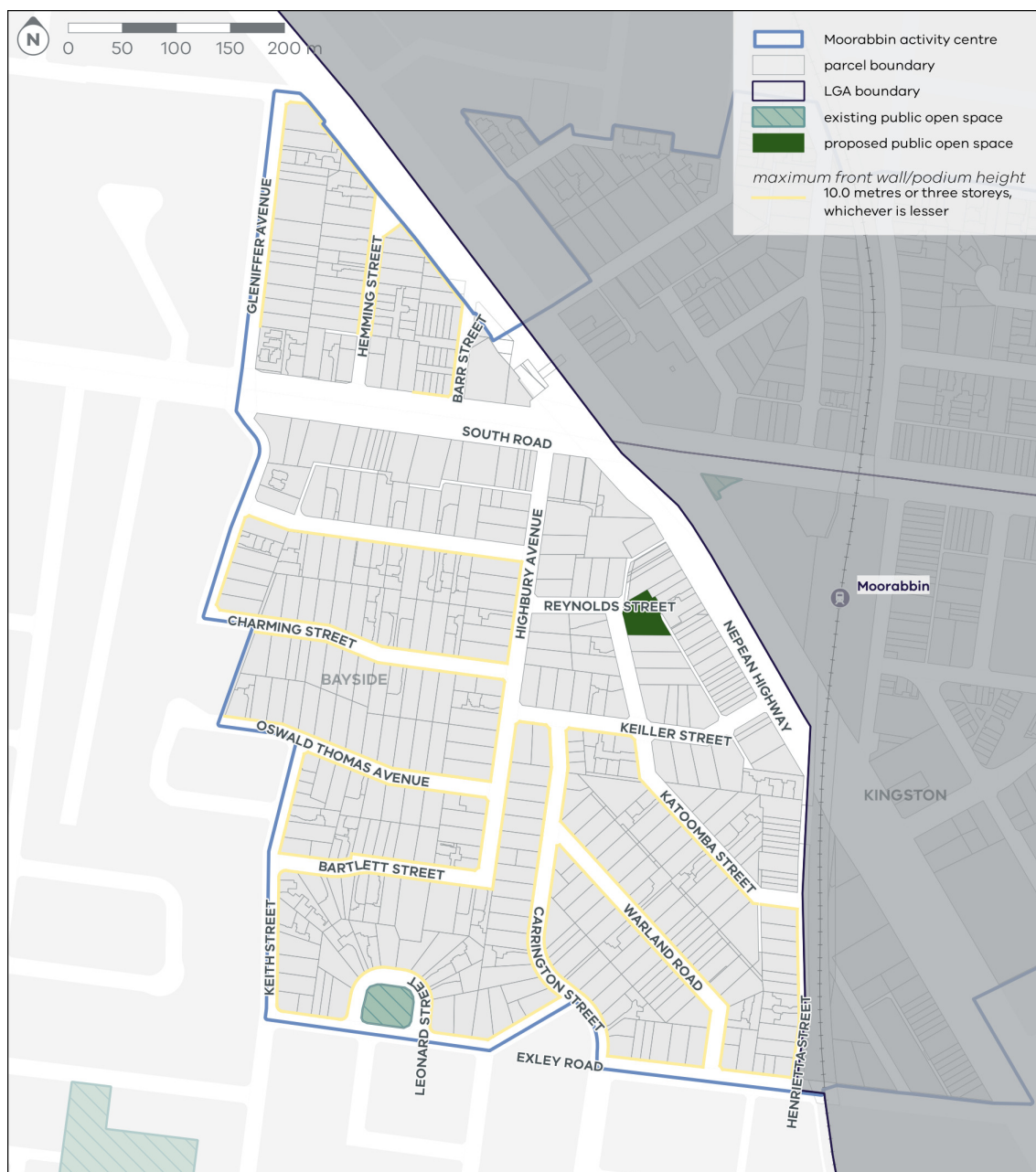


Table 12: Front wall heights

Maximum front wall height as shown on Map 8	Mandatory or discretionary	Deemed to comply
10m	Discretionary	Yes, if front wall height is the maximum or lower

Table 13 specifies whether the minimum setback above the front wall is a deemed to comply standard and whether it is a mandatory or discretionary standard.

Table 13: Setbacks above the front wall

Setbacks above front wall area as shown on Map 1	Minimum setback to front boundary	Mandatory or discretionary	Deemed to comply
Residential typology areas	5m	Discretionary	Yes, if setback is the minimum or more

7.011/04/2025
GC252**Subdivision****Permit requirements**

None specified.

Subdivision requirements

None specified.

Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

8.011/04/2025
GC252**Application requirements**

None specified.

9.011/04/2025
GC252**Notice and review**

None specified.

10.011/04/2025
GC252**Decision guidelines**

None specified.

11.011/04/2025
GC252**Mandatory permit conditions**

None specified.

12.011/04/2025
GC252**Signs**

None specified.

13.011/04/2025
GC252**Transitional provisions**

The requirements of clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC252 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC252;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC252; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC252.

BAYSIDE PLANNING SCHEME

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC252, continue to apply to applications which this transitional provision applies:

- Schedule 1 to Clause 37.08.

31/03/2026
GC270

SCHEDULE 6 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO6**.

NORTH BRIGHTON TRAIN AND TRAM ZONE ACTIVITY CENTRE

1.0

31/03/2026
GC270

Development objectives

To promote development which achieves a high level of amenity and enhances the public realm with high quality design.

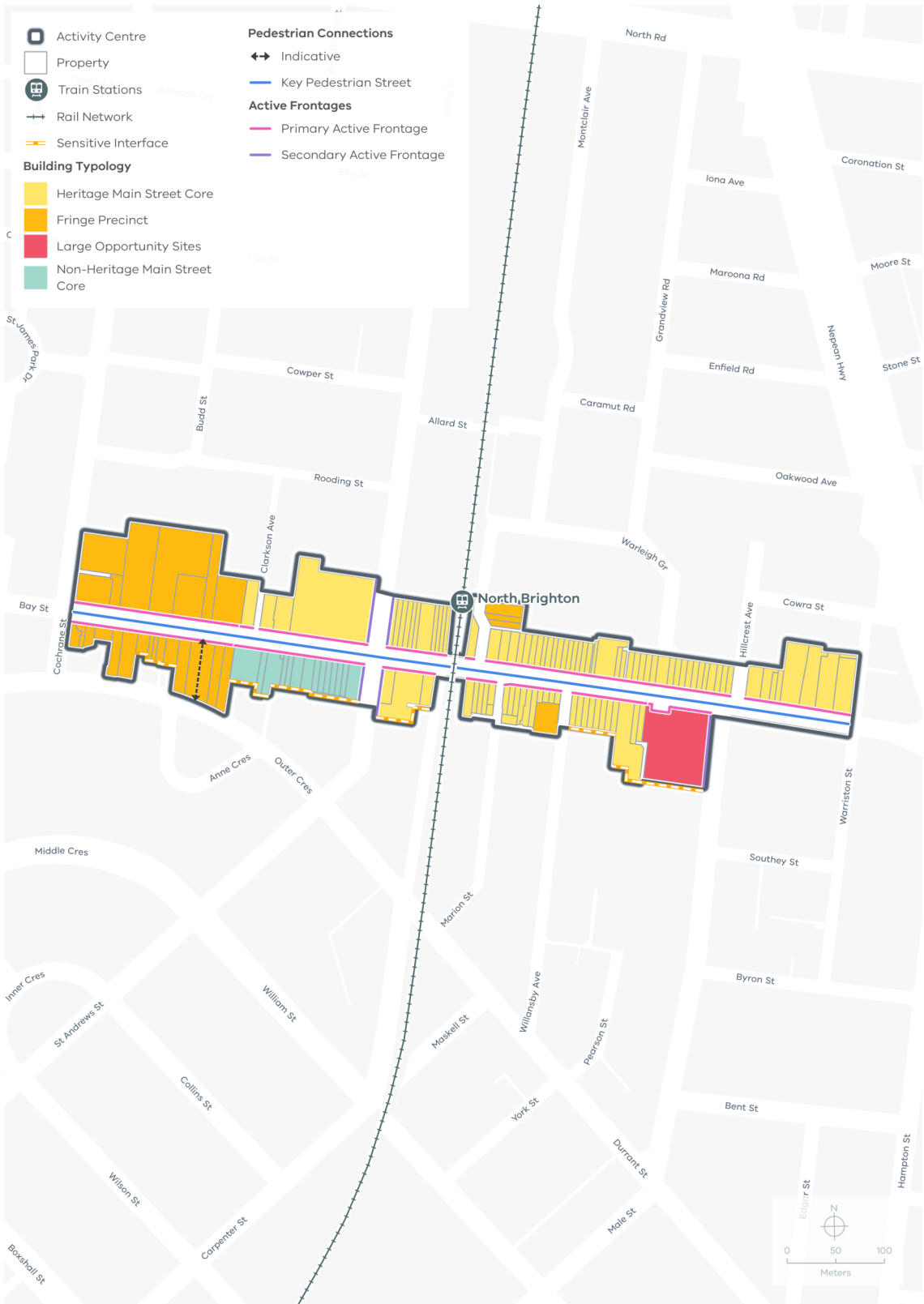
To achieve a scale of growth consistent with the development framework and to discourage underdevelopment.

To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and provides increased green cover and tree canopy coverage to reduce urban heat.

To increase permeability and connectivity for pedestrians and cyclists throughout the activity centre.

Development framework

Map 1 to Schedule 6 to Clause 43.06: Development framework



The building typologies and future character for each part of the land is set out in the following table.

Table 1: Building typology and future character statements

Building typology as shown on Map 1	Future character
Heritage Main Street Core	This typology will retain its heritage character, with heritage façades retained and new buildings respecting the scale and design of pre-existing heritage buildings. The scale of new street walls will be consistent with adjacent heritage façades. New development will occur above and behind heritage façades, with setbacks ensuring the new development does not dominate the heritage characteristics of the streetscape and the openness of the streetscape. Development will provide active street frontages, with commercial premises at ground level, and vehicle access provided to the rear where possible.
Non-Heritage Main Street Core	This typology will form the main street of the activity centre, with an urban form defined by its active street frontages and consistent streetscape presentation. Being in the heart of the centre, commercial activity will generally be provided at ground level, where a pedestrian environment is prioritised. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Fringe Precinct	This typology will mark a transition between the main street and lower-scale residential areas by providing a reduction in height and increased setbacks to residential interfaces. Commercial uses will be present at ground level, with commercial and residential premises above. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Large Opportunity Sites	Sites that can accommodate multiple buildings in a variety of configurations on larger lots (generally over 5,000 sqm). New buildings should be high-rise (up to 40 metres/12 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm in terms of wind conditions and access to sunlight. Development of taller built form on these sites is supported and may exceed the building height standard where off-site amenity impacts are managed and public benefits provided.

3.031/03/2026
GC270**Master plan requirements****Land to which the master plan requirements apply**

None specified.

Requirement before a permit is granted

None specified.

Requirements for a master plan

None specified.

4.0

31/03/2026
GC270

Public benefit uplift framework

None specified.

5.0

31/03/2026
GC270

Buildings and works

Permit requirement

None specified.

6.0

31/03/2026
GC270

Outcomes and standards

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any inconsistent standard set out in Clauses 54 to 58 (except where specified in this schedule). This does not apply to an application that has been made under Clause 53.22, Clause 53.23 or Clause 53.25, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1

Outcomes that do not apply

The outcome in Clause 43.06-7.3, Floor area ratios, does not apply.

6.2

Standards

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this overlay and schedule are not deemed to comply standards.

6.2-1

Building heights

Standard BF02

Standard BF02 does not apply to a heritage place which is included in the Victorian Heritage Register.

BAYSIDE PLANNING SCHEME

Map 2 to Schedule 6 to Clause 43.06: Building heights

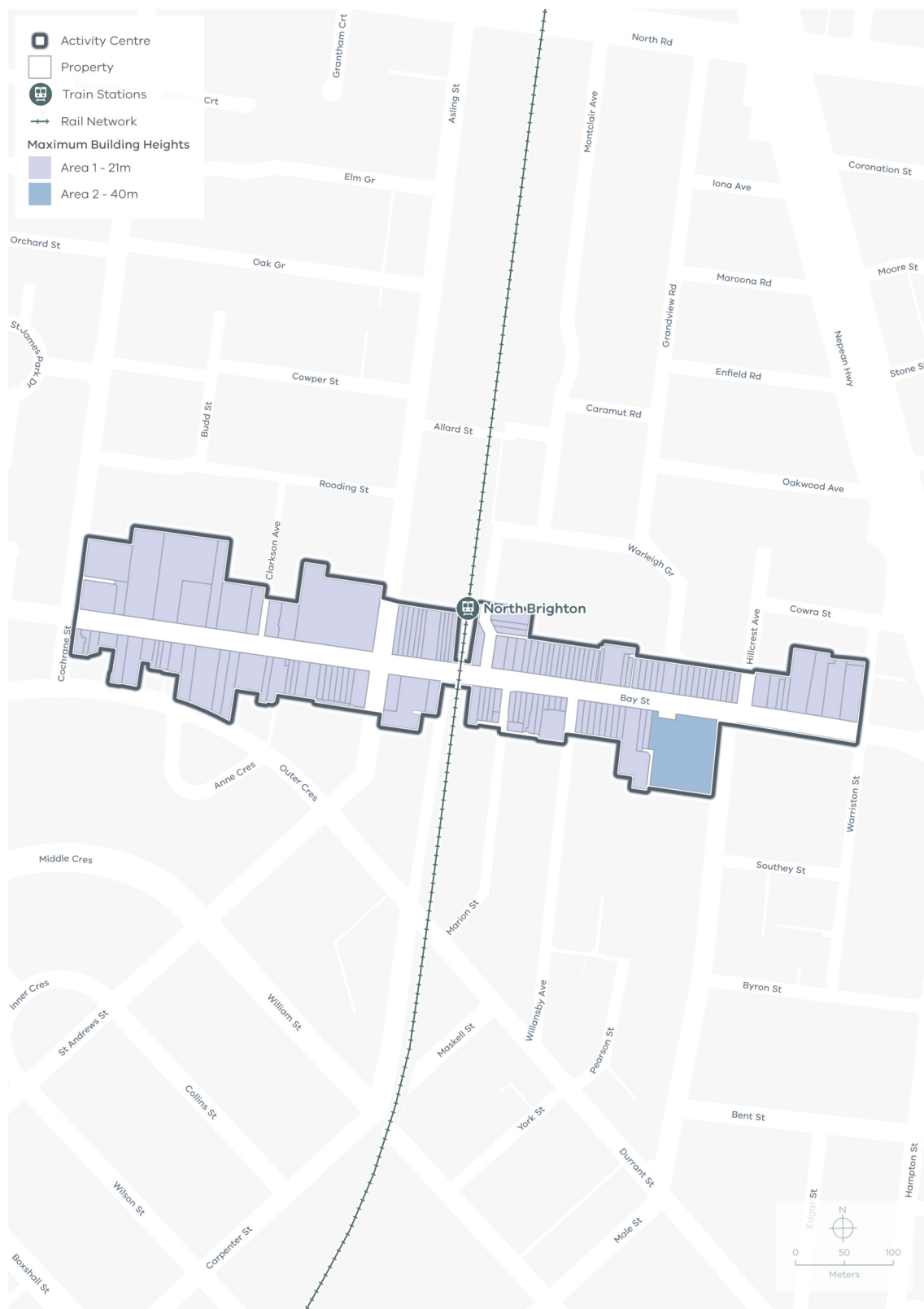


Table 2: Building height

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 1	10m	21m	Discretionary	Yes

BAYSIDE PLANNING SCHEME

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 2	None specified	40m	Discretionary	No

6.2-2 Overshadowing of open space or public realm

The following standards replace Standard BF04 at Clause 43.06-7.4.

Buildings are to maintain existing sun access to the overshadowing areas identified at Table 3 using the specified sun access measurement.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

Table 3: Overshadowing of open space or public realm

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
Existing and proposed streets			
Key pedestrian streets as shown on Map 1	No additional overshadowing to the opposite footpath measured at least 5m from the property boundary between 10am and 2pm on 22 September.	Discretionary	Yes
All other streets	No additional overshadowing of opposite footpaths beyond the theoretical shadow cast by the maximum building envelope in Standard BF02 and BF05 between 10am and 2pm on 22 September.	Discretionary	No
Existing and proposed public open space			
All public parks and public open spaces (including proposed public open space)	No additional overshadowing beyond the theoretical shadow cast by the maximum building envelope in Standard BF02, Standard BF05, and Standard BF06 between 10am and 3pm on 21 June.	Discretionary	No

6.2-3

Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Standard BF05

Requirements for land in or adjoining a Heritage Overlay

The following requirements apply to land in or adjoining a Heritage Overlay, in addition to the remaining requirements applying to all land. Where there is inconsistency between these requirements and the requirements applying to all land, these requirements prevail.

For development in a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than the heritage building on the site.
- Match the street wall or front wall height of heritage buildings on the site or match the street wall or front wall height of a heritage building on an adjoining site where there is no heritage building on the site.
- Provide a minimum 6m setback above the street wall or front wall.

For development adjoining a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than a heritage building on an adjoining site with the same frontage.
- Provide a street wall or front wall height no greater than the street wall or front wall height of a heritage building on an adjoining site, for a width of 6m from the property boundary of the adjoining property containing the heritage building.

Requirements applying to all land

For all land, new development should:

- Avoid a tiered built form and incorporate no more than one setback above the street wall or front wall.
 - Provide street walls within 0.3m of the street boundary.
-

Map 3 to Schedule 6 to Clause 43.06: Street wall and front wall heights and setbacks above the street wall or front wall

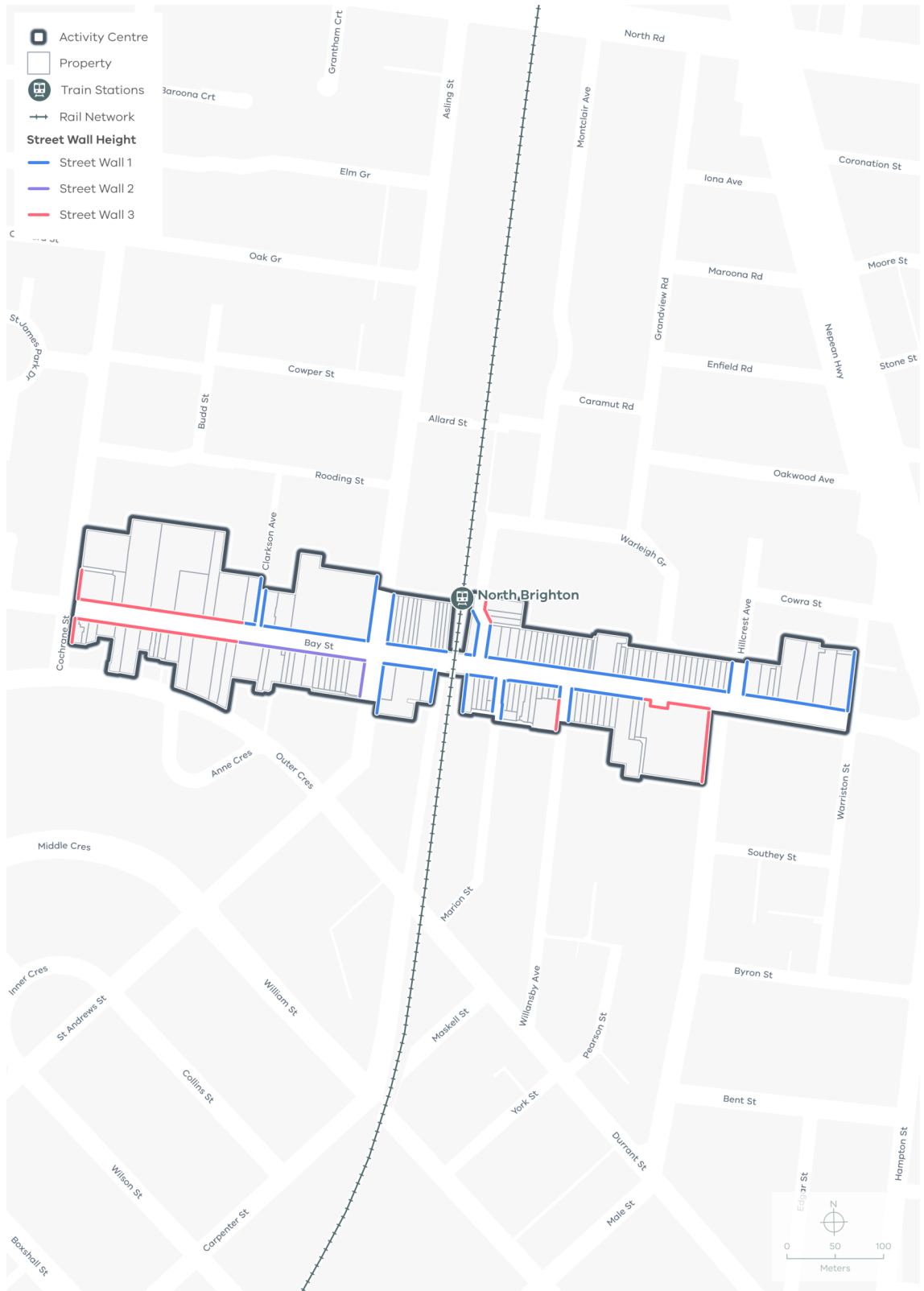


Table 4: Street wall and front wall heights, setbacks above street walls or front walls

Street wall shown on Map 3	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 1	11m	Any part of the building above the proposed street wall or front wall: 6m	Discretionary	Yes
Street wall 2	11m	Any part of the building above the proposed street wall or front wall: 5m	Discretionary	Yes
Street wall 3	1:1 ratio of road reserve width to street wall or front wall height or 21m whichever is lesser	Any part of the building above the proposed street wall or front wall if the building is no greater than 27m in height: 3m Any part of the building above the proposed street wall or front wall if the building is greater than 27m in height: 5m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

6.2-4

Side and rear setbacks and building separation within a site

Standard BF06

Development should avoid a tiered built form and incorporate no more than two setbacks to each side and rear boundary above the podium.

Development should be set back from side or rear boundaries in accordance with Table 5, except where one or more of the following applies:

- Where a site adjoins a sensitive interface shown on Map 1, buildings should be set back from the specified sensitive interface boundary in accordance with Table 6.
- Where a wall on boundary is proposed, a building should meet the wall on boundary requirements in Table 7 and 8 below. A wall on boundary should not be provided:
 - For rear boundaries, on a site 1,500 square metres or greater in area.
 - Where a site adjoins a sensitive interface shown on Map 1.

BAYSIDE PLANNING SCHEME

Table 5: Side and rear setbacks and building separation within a site

Part of building	Minimum setback to boundary line	Minimum building separation within a site	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 21m	4.5m	9m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m up to and including a height of 40m	6m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 40m	10m	20m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirements in Table 5 should be measured from the centreline of the laneway.

Table 6: Setbacks to sensitive interfaces

Part of building	Minimum setback to sensitive interface boundary line shown on Map 1	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 11m	6m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 11m up to and including a height of 21m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m	15m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a laneway, the setback requirements in Table 6 should be measured from the centreline of the laneway.

Table 7: Wall on rear boundary

Site size	Maximum height of wall on rear boundary	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	11m	Discretionary	Yes

Where a wall constructed on or within 200mm of a rear boundary is proposed, rear setbacks at Table 5 apply above the proposed wall on boundary.

Table 8: Wall on side boundary

Site width*	Maximum height of wall on side boundary	Discretionary or Mandatory	Deemed to comply
Less than 22m	21m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Between 22m and 30m	21m on one side boundary 11m on the other side boundary	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Greater than 30m	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

*Site width is measured as the site's average width, measured parallel to the frontage.

Where a wall constructed on or within 200mm of a side boundary is proposed, the side setbacks at Table 5 apply above the proposed wall on boundary.

6.2-5 Building layout and adaptability

Standard BF07

Apartment development should have a maximum floor plate size of 900sqm per tower, above the maximum street wall or front wall height.

Table 9: Floor to floor height

Floor type	Minimum floor to floor height (metres)	Discretionary or Mandatory	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes
Commercial Upper	4m	Discretionary	Yes
Residential (all)	3.2m	Discretionary	Yes

6.2-6 Active frontages

Standard BF09

Table 10: Minimum entry or window percentage

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Primary active frontage	At least 80 percent along the ground level frontage to a height of 2.5m	Discretionary	No

BAYSIDE PLANNING SCHEME

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Secondary active frontage	At least 60 percent along the ground level frontage to a height of 2.5m	Discretionary	No

Note: Any vehicle entry does not contribute to the calculation of minimum entry or window percentage specified in Table 10.

6.2-7 Pedestrian connections

Standard BF10

Map 1 indicates the 'Indicative' pedestrian connection alignments required by this standard.

6.2-8 Weather protection

Standard BF11

Development should include continuous weather protection along primary and secondary active frontages shown on Map 1, except where a heritage place warrants an alternative approach.

6.2-9 Landscaping and fencing

Standard BF12

The following standards do not apply to apartment developments to which Clause 58 applies.

Development should provide the minimum deep soil extent at ground level outlined in Table 11 below.

Table 11: Deep soil requirements

Site size	Minimum deep soil extent at ground level	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	0%	Discretionary	Yes
Between 1,500 – 5,000sqm	10%	Discretionary	Yes
Greater than 5,000sqm	15%	Discretionary	No

Development on sites greater than 1,500sqm should provide either of the following:

- At least two trees with a minimum canopy and height at maturity of 8m, with each tree having a minimum deep soil area of 49sqm (min. plan dimension 4.5m).
- At least one tree with a minimum canopy and height at maturity of 12m, within a minimum deep soil area of 121sqm (min. plan dimension 6.5m).

Development on all sites must ensure deep soil is not located above basements or other infrastructure.

6.2-10 Car parking design

Standard BF13

Vehicle access should be provided from laneways and secondary frontages. Where vehicle access cannot be provided from laneways and secondary frontages, access points should:

- Prioritise pedestrian flow, safety and amenity.
- Minimise impacts on the provision of public transport, and pedestrian and cyclist safety.
- Avoid street trees.

6.3 Other outcomes and standards

None specified.

7.0 Subdivision

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Permit requirements

None specified.

Subdivision requirements

Applications for subdivision should be consistent with the objective to maintain and enhance a subdivision pattern that supports high density development.

Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

8.0 Application requirements

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Design response

For an application to construct a building, in addition to the requirements of Clause 43.06-9, the design response must be accompanied by the following information, as appropriate:

- Explain how the proposed design will:
 - Provide high-quality public realm outcomes and ameliorate shadow and wind effects.
 - Respond to any significant heritage elements on adjoining properties.
 - Respond to adjacent buildings including likely adjacent equitable development envelopes.

Sustainable Design Assessment or Sustainability Management Plan

An application to construct a building must be accompanied by a Sustainable Design Assessment or a Sustainability Management Plan (including assessment using BESS/Green Star, STORM/MUSIC or other methods) and a Green Travel Plan, as relevant to the scale of development outlined at Clause 15.01-2L-02.

The assessment should identify environmentally sustainable development measures proposed in response to the following, having regard to the site's opportunities and constraints:

- Energy performance
- Integrated water management
- Indoor environment quality
- Transport
- Waste management
- Urban ecology

Landscaping Plan

An application to construct a building or construct or carry out works must be accompanied by a Landscaping Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

Shadow Diagrams

An application to construct a building must be accompanied by shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

Wind Impact Report

An application to construct a building of five or more storeys, excluding a basement, must be accompanied by a wind impact assessment report prepared by a suitably qualified person to consider wind impacts, which must:

- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- For development with a total building height in excess of 30 metres, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing, unless otherwise agreed by the Responsible Authority.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Explain whether the outcome and Standard BF08 at Clause 43.06-7.8 are met.

9.0

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Notice and review

None specified.

10.0

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.06, in addition to those specified in Clause 43.06-11 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Variations to discretionary standards

Where a proposal seeks to vary a discretionary standard in this clause:

Development – Building scale

- Whether the site area, including as a result of land consolidation, enables the management of amenity impacts from building heights exceeding the maximum building height specified in this schedule.
 - Whether the building respects the height, scale and proportions of adjacent heritage buildings.
 - Whether the building height responds to the site and adjacent existing or proposed development.
 - Whether street wall and front wall heights and setbacks above street wall and front walls are appropriate considering:
 - The existing streetscape and site context.
 - The required floor to floor heights for commercial floor types.
-

Development – Detail design

- Whether the development provides high quality human scaled environments at ground level that provide visual interest.
- Whether the development provides appropriate landscaping, considering its context and the site's ability to provide meaningful landscaping.

Development – Impacts on adjoining land

- Whether the development provides equitable access on adjoining sites to privacy, daylight and outlook.
- Whether the development respects the amenity of adjoining residential land.
- Whether any additional overshadowing to the nominated spaces adversely affects the use, quality and amenity of the public space.

Development – Public realm

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
- Whether the proposal maintains safe and pleasant pedestrian microclimatic conditions on the footpath adjacent to the development and in the surrounding public realm areas.
- Whether a front setback is designed as part of the public domain and fully accessible to the public where a ground level (non-landscaped) setback is provided.

Decision guidelines applying to all applications

General

- Whether the proposal meets the development objectives and requirements of this schedule.
- Whether development achieves housing and employment at the scale sought by the development outcomes of this schedule.
- Whether the development provides for activation via the use of lobbies and other commercial entries, commercial activities, seating embedded in the façade, and other features which facilitate engagement, use and movement at ground level.

Development – Building scale

- Whether the site area is too small to achieve the preferred scale of development identified in the development framework.

Development – Detail design

- Whether the development allows for the adaptive re-use of existing heritage buildings.
- The extent of building articulation, visual interest and variety over the length of the street frontage.

Development – Sustainability

- The proposed sustainability rating of the building and extent the proposed initiatives address climate change impacts and contribute to mitigation through sustainable design and operational practices.
- Whether sustainable water, waste and energy management is proposed.
- The extent to which the proposed landscape and design response contributes to a greener environment and reduces urban heat.

Subdivision

- Whether a subdivision enables future development opportunities consistent with the scale envisioned in the relevant future character description.
-

Public benefits

- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
 - Affordable housing.
 - Provision of pedestrian connections or public open space in excess of any minimum requirement in this Scheme.

11.0

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Mandatory permit conditions

None specified.

12.0

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Signs

None specified.

13.0

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Transitional provisions

The requirements of Clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC270 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC270; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270.

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC270, continue to apply to applications which this transitional provision applies:

- Schedule 10 to Clause 43.02.
-

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SCHEDULE 7 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO7**.

MIDDLE BRIGHTON TRAIN AND TRAM ZONE ACTIVITY CENTRE

1.0

31/03/2026
GC270

Development objectives

To promote development which achieves a high level of amenity and enhances the public realm with high quality design.

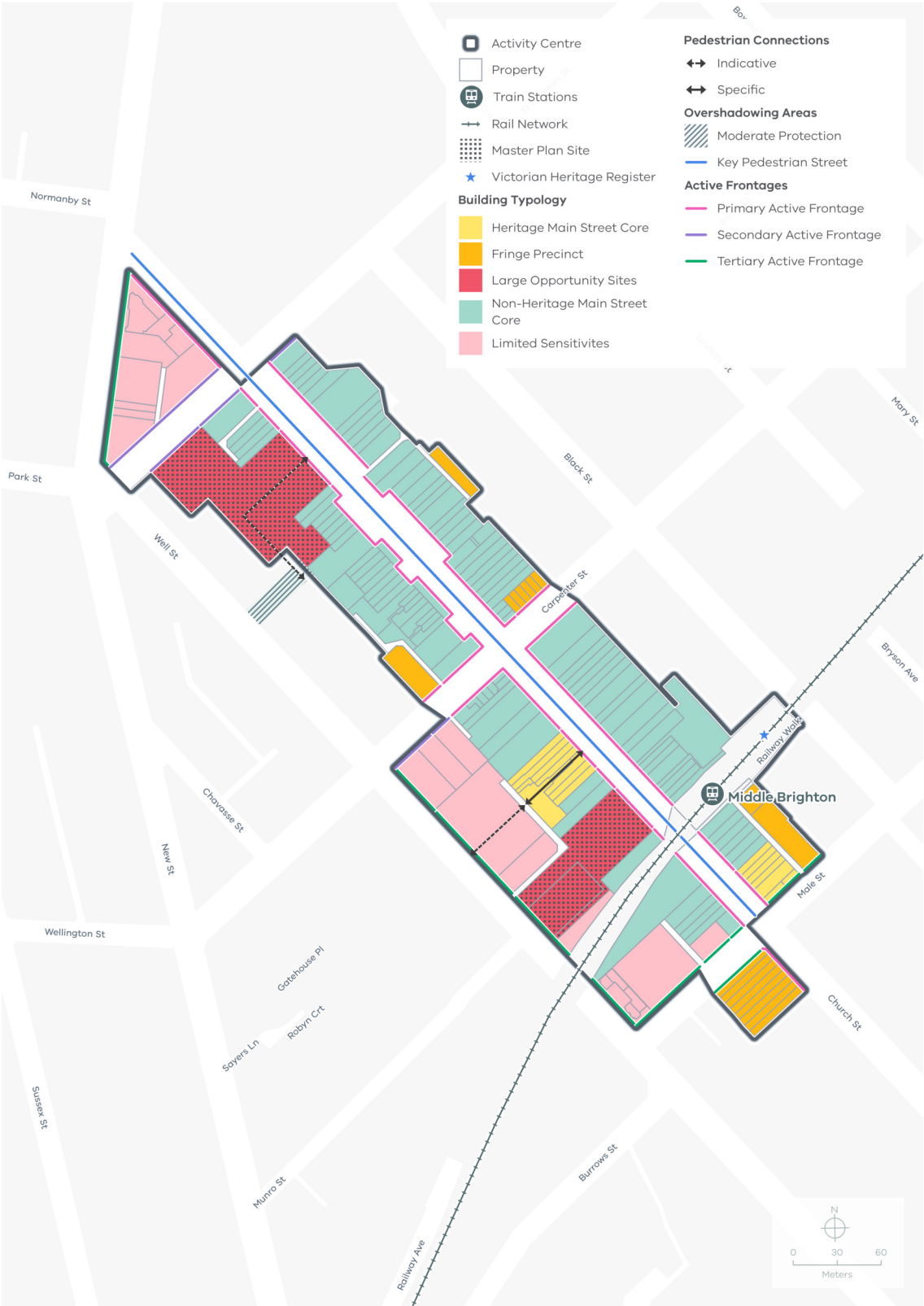
To achieve a scale of growth consistent with the development framework and to discourage underdevelopment.

To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and provides increased green cover and tree canopy coverage to reduce urban heat.

To increase permeability and connectivity for pedestrians and cyclists throughout the activity centre.

Development framework

Map 1 to Schedule 7 to Clause 43.06: Development framework



The building typologies and future character for each part of the land is set out in the following table.

BAYSIDE PLANNING SCHEME

Table 1: Building typology and future character statements

Building typology as shown on Map 1	Future character
Heritage Main Street Core	This typology will retain its heritage character, with heritage façades retained and new buildings respecting the scale and design of pre-existing heritage buildings. The scale of new street walls will be consistent with adjacent heritage façades. New development will occur above and behind heritage façades, with setbacks ensuring the new development does not dominate the heritage characteristics of the streetscape and the openness of the streetscape. Development will provide active street frontages, with commercial premises at ground level, and vehicle access provided to the rear where possible.
Non-Heritage Main Street Core	This typology will form the main street of the activity centre, with an urban form defined by its active street frontages and consistent streetscape presentation. Being in the heart of the centre, commercial activity will generally be provided at ground level, where a pedestrian environment is prioritised. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Fringe Precinct	This typology will mark a transition between the main street and lower-scale residential areas by providing a reduction in height and increased setbacks to residential interfaces. Commercial uses will be present at ground level, with commercial and residential premises above. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Limited Sensitivities	A mixture of commercial and residential built form is supported in the typology. New development will be expected to provide an active frontage to the public realm. New buildings should be medium to high-rise (up to 27 to 34 metres/8 to 10 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm. Taller form is supported on larger sites, particularly where setback standards are maintained. Development may exceed the building heights standard where the site area, including as a result of lot consolidation, supports compliance with the other standards of this schedule.
Large Opportunity Sites	Sites that can accommodate multiple buildings in a variety of configurations on larger lots (generally over 5,000 sqm). New buildings should be high-rise (up to 40 metres/12 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm in terms of wind conditions and access to sunlight. Development of taller built form on these sites is supported and may exceed the building height standard where off-site amenity impacts are managed and public benefits provided.

3.031/03/2026
GC270**Master plan requirements****Land to which the master plan requirements apply**

The master plan requirements in Clause 43.06-3 apply to all land shown on Map 1 as master plan sites.

Requirement before a permit is granted

A permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that both:

- The granting of a permit will not prejudice the preparation of a master plan.
- The proposed use or development will not prejudice the orderly use and development of land in accordance with the objectives of this schedule.

Requirements for a master plan

A master plan must describe, as appropriate:

- Trees to be retained.
- Deep soil planting areas.
- Areas of any new planting for trees, green walls and facades, and other vegetation.
- The location and access arrangements of car and bicycle parking spaces.
- Public realm improvement works.

For the site at 26 Church Street and 8 St Andrews Street, Brighton, a master plan must describe:

- The provision of vehicle access for car parking and loading from St Andrews Street.
- The interface to address the local park to the south and opportunities for activation and passive surveillance.

For the site at 100 Church Street and 35 Well Street, Brighton, a master plan must describe:

- The provision of vehicle access for car parking and loading from Well Street.

4.031/03/2026
GC270**Public benefit uplift framework**

None specified.

5.031/03/2026
GC270**Buildings and works****Permit requirement**

A permit is not required for land in the Mixed Use Zone to:

- Extend one dwelling or construct or extend a small second dwelling.
 - Construct or carry out works normal to a dwelling.
-

- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the 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.

6.0

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Outcomes and standards

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any inconsistent standard set out in Clauses 54 to 58 (except where specified in this schedule). This does not apply to an application that has been made under Clause 53.22, Clause 53.23 or Clause 53.25, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1

Outcomes that do not apply

The outcome in Clause 43.06-7.3, Floor area ratios, does not apply.

6.2

Standards

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this overlay and schedule are not deemed to comply standards.

6.2-1

Building heights

Standard BF02

Standard BF02 does not apply to a heritage place which is included in the Victorian Heritage Register.

BAYSIDE PLANNING SCHEME

Map 2 to Schedule 7 to Clause 43.06: Building heights

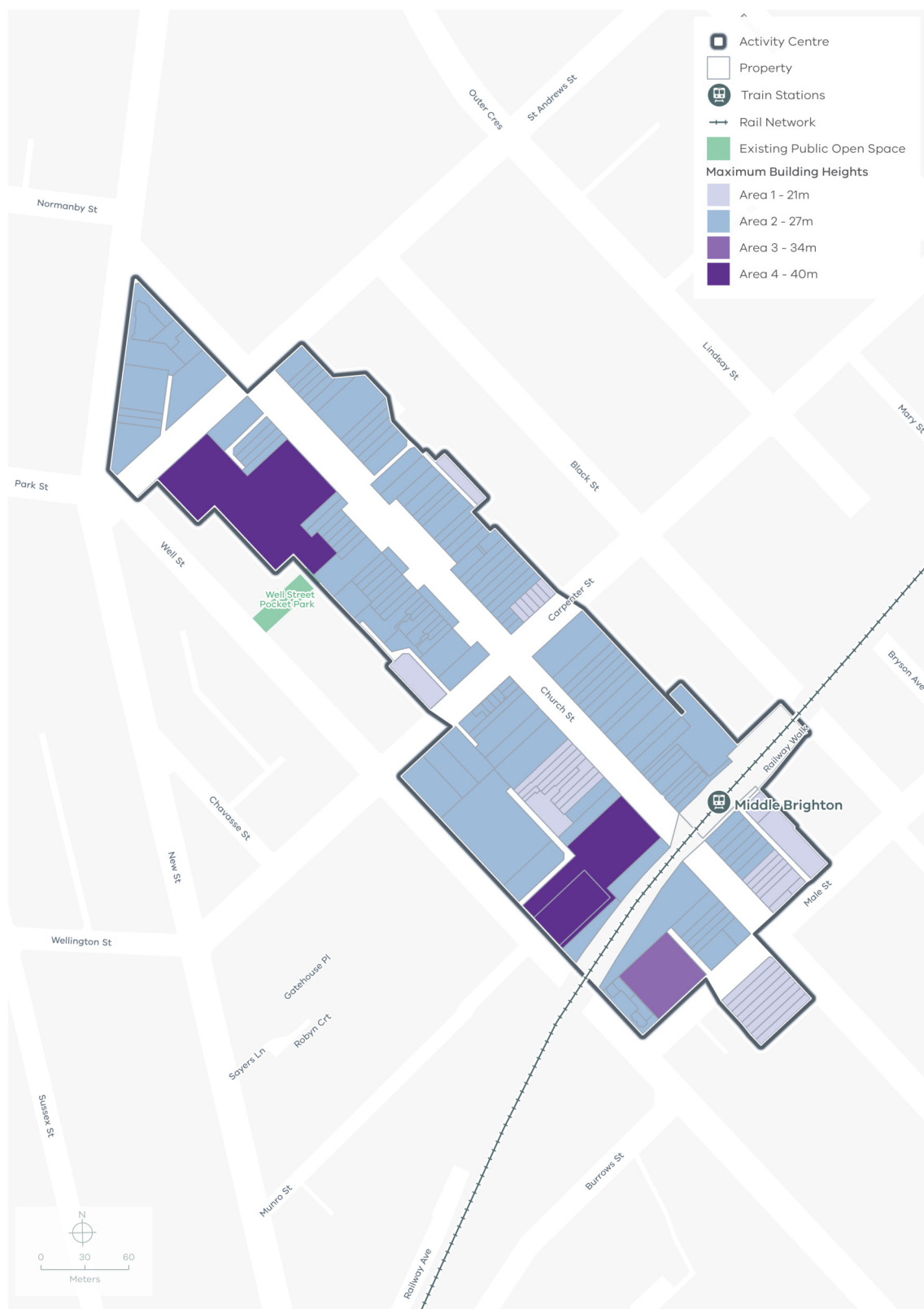


Table 2: Building height

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 1	10m	21m	Discretionary	Yes

BAYSIDE PLANNING SCHEME

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 2	13m	27m	Discretionary	Yes
Area 3	13m	34m	Discretionary	Yes
Area 4	None specified	40m	Discretionary	No

6.2-2

Overshadowing of open space or public realm

The following standards replace Standard BF04 at Clause 43.06-7.4.

Buildings are to maintain existing sun access to the overshadowing areas identified at Table 3 using the specified sun access measurement.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

Table 3: Overshadowing of open space or public realm

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
Existing and proposed streets			
Key pedestrian streets as shown on Map 1	No additional overshadowing to the opposite footpath measured at least 5m from the property boundary between 10am and 2pm on 22 September.	Discretionary	Yes
All other streets	No additional overshadowing of opposite footpaths beyond the theoretical shadow cast by the maximum building envelope in Standard BF02 and BF05 between 10am and 2pm on 22 September.	Discretionary	No
Existing and proposed public open space			
Moderate protection as shown on Map 1	No additional overshadowing beyond the theoretical shadow cast by the maximum building podium envelope in Standard BF05 and	Mandatory	Yes

BAYSIDE PLANNING SCHEME

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
	Standard BF06 between 10am and 3pm on 21 June.		
All other public parks and public open spaces (including proposed public open space)	No additional overshadowing beyond the theoretical shadow cast by the maximum building envelope in Standard BF02, Standard BF05, and Standard BF06 between 10am and 3pm on 21 June.	Discretionary	No

6.2-3

Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Standard BF05

Requirements for land in or adjoining a Heritage Overlay

The following requirements apply to land in or adjoining a Heritage Overlay, in addition to the remaining requirements applying to all land. Where there is inconsistency between these requirements and the requirements applying to all land, these requirements prevail.

For development in a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than the heritage building on the site.
- Match the street wall or front wall height of heritage buildings on the site or match the street wall or front wall height of a heritage building on an adjoining site where there is no heritage building on the site.
- Provide a minimum 6m setback above the street wall or front wall.

For development adjoining a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than a heritage building on an adjoining site with the same frontage.
- Provide a street wall or front wall height no greater than the street wall or front wall height of a heritage building on an adjoining site, for a width of 6m from the property boundary of the adjoining property containing the heritage building.

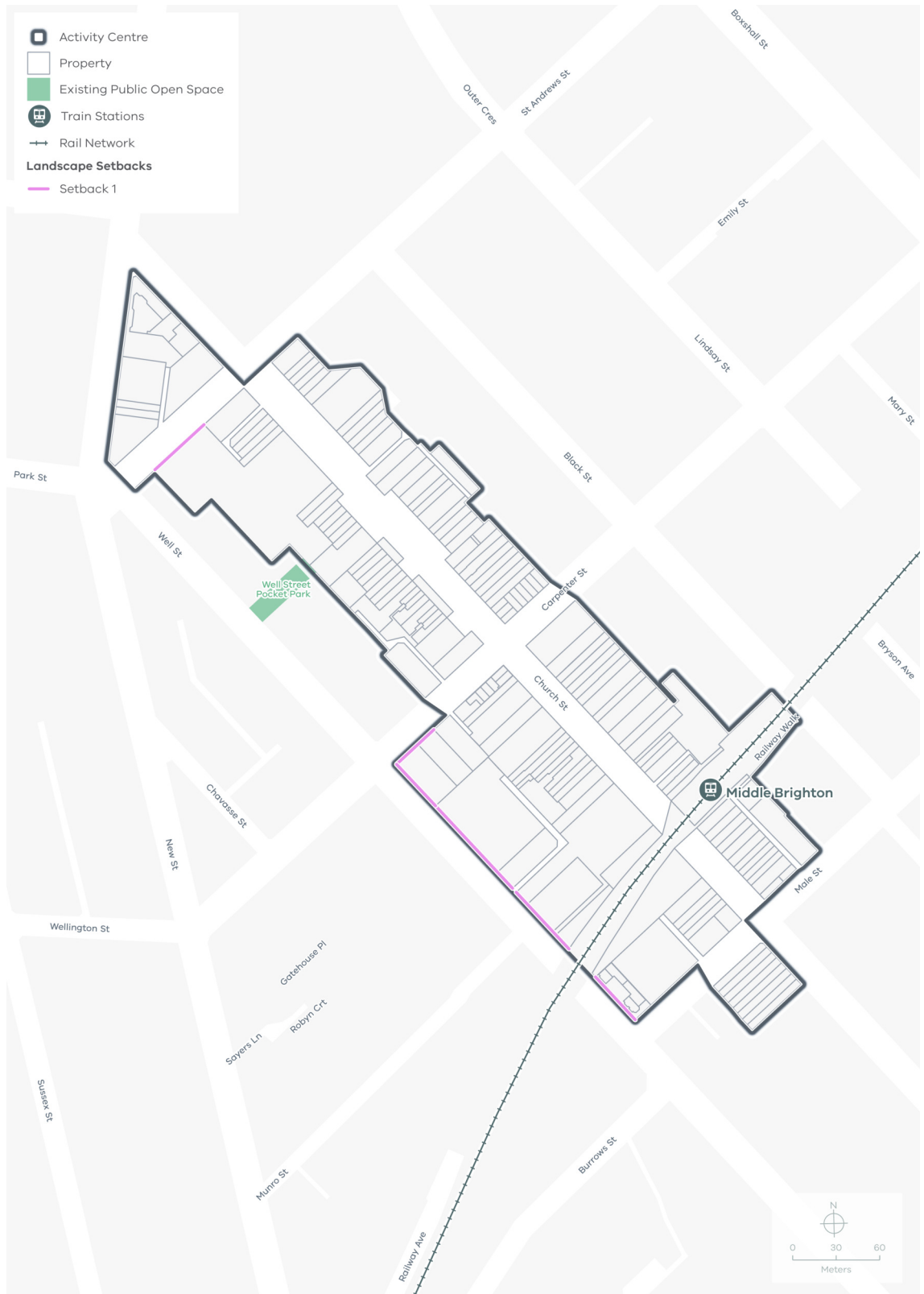
Requirements applying to all land

For all land, new development should:

- Avoid a tiered built form and incorporate no more than one setback above the street wall or front wall.
- For areas shown as requiring a landscaped setback in Table 4, provide landscaping between the front wall and the front property boundary.
- For areas where no setback is shown at Map 3, provide street walls within 0.3m of the street boundary.

BAYSIDE PLANNING SCHEME

Map 3 to Schedule 7 to Clause 43.06: Front setbacks and landscaped setbacks



BAYSIDE PLANNING SCHEME

Table 4: Front setbacks and landscaped setbacks

Setback shown on Map 3	Minimum front setback	Landscaped setback	Discretionary or Mandatory	Deemed to comply
Setback 1	4.5m	Yes	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

BAYSIDE PLANNING SCHEME

Map 4 to Schedule 7 to Clause 43.06: Street wall and front wall heights and setbacks above the street wall or front wall

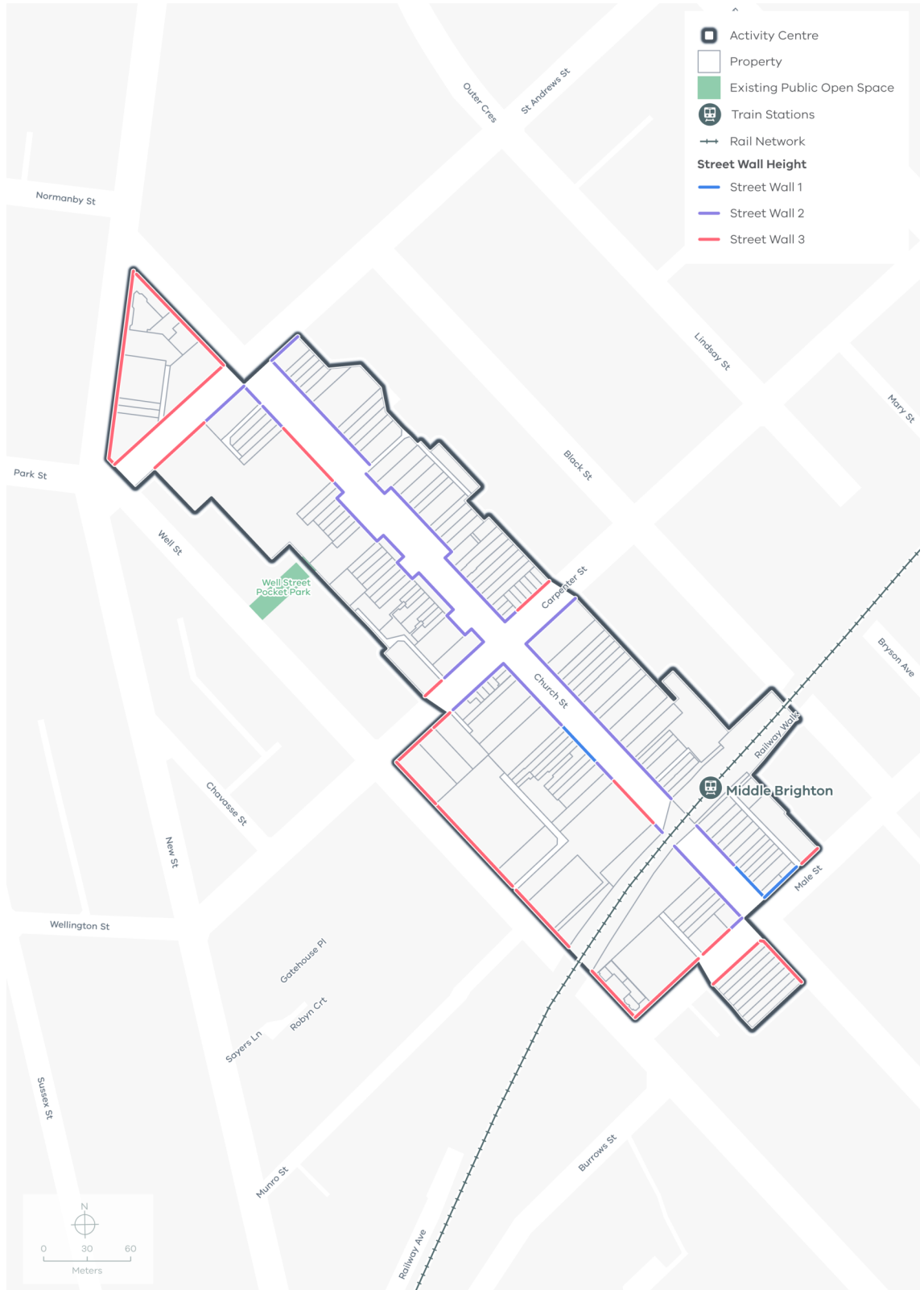


Table 5: Street wall and front wall heights, setbacks above street walls or front walls

Street wall shown on Map 4	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 1	11m	Any part of the building above the proposed street wall or front wall: 6m	Discretionary	Yes
Street wall 2	11m	Any part of the building above the proposed street wall or front wall: 5m	Discretionary	Yes
Street wall 3	1:1 ratio of road reserve width to street wall or front wall height or 21m whichever is lesser	Any part of the building above the proposed street wall or front wall if the building is no greater than 27m in height: 3m Any part of the building above the proposed street wall or front wall if the building is greater than 27m in height: 5m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

6.2-4

Side and rear setbacks and building separation within a site

Standard BF06

Development should avoid a tiered built form and incorporate no more than two setbacks to each side and rear boundary above the podium.

Development should be set back from side or rear boundaries in accordance with Table 6, except:

- Where a wall on boundary is proposed, a building should meet the wall on boundary requirements in Table 7 and 8 below. A wall on boundary should not be provided:
 - For rear boundaries, on a site 1,500 square metres or greater in area.

BAYSIDE PLANNING SCHEME

Table 6: Side and rear setbacks and building separation within a site

Part of building	Minimum setback to boundary line	Minimum building separation within a site	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 21m	4.5m	9m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m up to and including a height of 40m	6m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 40m	10m	20m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirements in Table 6 should be measured from the centreline of the laneway.

Table 7: Wall on rear boundary

Site size	Maximum height of wall on rear boundary	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	11m	Discretionary	Yes

Where a wall constructed on or within 200mm of a rear boundary is proposed, rear setbacks at Table 6 apply above the proposed wall on boundary.

Table 8: Wall on side boundary

Site width*	Maximum height of wall on side boundary	Discretionary or Mandatory	Deemed to comply
Less than 22m	21m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Between 22m and 30m	21m on one side boundary 11m on the other side boundary	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Greater than 30m	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

*Site width is measured as the site's average width, measured parallel to the frontage.

Where a wall constructed on or within 200mm of a side boundary is proposed, the side setbacks at Table 6 apply above the proposed wall on boundary.

6.2-5 Building layout and adaptability

Standard BF07

Apartment development should have a maximum floor plate size of 900sqm per tower, above the maximum street wall or front wall height.

Table 9: Floor to floor height

Floor type	Minimum floor to floor height (metres)	Discretionary or Mandatory	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes
Commercial Upper	4m	Discretionary	Yes
Residential (all)	3.2m	Discretionary	Yes

6.2-6 Active frontages

Standard BF09

Table 10: Minimum entry or window percentage

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Primary active frontage	At least 80 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Secondary active frontage	At least 60 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Tertiary active frontage	At least 40 percent along the ground level frontage to a height of 2.5m	Discretionary	No

Note: Any vehicle entry does not contribute to the calculation of minimum entry or window percentage specified in Table 10.

6.2-7 Pedestrian connections

Standard BF10

Map 1 indicates the ‘Specific’ and ‘Indicative’ pedestrian connection alignments required by this standard.

6.2-8 Weather protection

Standard BF11

Development should include continuous weather protection along primary and secondary active frontages shown on Map 1, except where one of the following warrants an alternative approach:

- A heritage place.
- Where a landscaped setback is required under Clause 6.2-3 of this schedule.

6.2-9 Landscaping and fencing

Standard BF12

The following standards do not apply to apartment developments to which Clause 58 applies.

Development should provide the minimum deep soil extent at ground level outlined in Table 11 below.

Table 11: Deep soil requirements

Site size	Minimum deep soil extent at ground level	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	0%	Discretionary	Yes
Between 1,500 – 5,000sqm	10%	Discretionary	Yes
Greater than 5,000sqm	15%	Discretionary	No

Development on sites greater than 1,500sqm should provide either of the following:

- At least two trees with a minimum canopy and height at maturity of 8m, with each tree having a minimum deep soil area of 49sqm (min. plan dimension 4.5m).
- At least one tree with a minimum canopy and height at maturity of 12m, within a minimum deep soil area of 121sqm (min. plan dimension 6.5m).

Development on all sites must ensure deep soil is not located above basements or other infrastructure.

6.2-10 Car parking design

Standard BF13

Vehicle access should be provided from laneways and secondary frontages. Where vehicle access cannot be provided from laneways and secondary frontages, access points should:

- Prioritise pedestrian flow, safety and amenity.
- Minimise impacts on the provision of public transport, and pedestrian and cyclist safety.
- Avoid street trees.

6.3 Other outcomes and standards

None specified.

7.0

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Subdivision

Permit requirements

None specified.

Subdivision requirements

Applications for subdivision should be consistent with the objective to maintain and enhance a subdivision pattern that supports high density development.

Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

8.031/03/2026
GC270**Application requirements****Design response**

For an application to construct a building, in addition to the requirements of Clause 43.06-9, the design response must be accompanied by the following information, as appropriate:

- Explain how the proposed design will:
 - Provide high-quality public realm outcomes and ameliorate shadow and wind effects.
 - Respond to any significant heritage elements on adjoining properties.
 - Respond to adjacent buildings including likely adjacent equitable development envelopes.

Sustainable Design Assessment or Sustainability Management Plan

An application to construct a building must be accompanied by a Sustainable Design Assessment or a Sustainability Management Plan (including assessment using BESS/Green Star, STORM/MUSIC or other methods) and a Green Travel Plan, as relevant to the scale of development outlined at Clause 15.01-2L-02.

The assessment should identify environmentally sustainable development measures proposed in response to the following, having regard to the site's opportunities and constraints:

- Energy performance
- Integrated water management
- Indoor environment quality
- Transport
- Waste management
- Urban ecology

Landscaping Plan

An application to construct a building or construct or carry out works must be accompanied by a Landscaping Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

Shadow Diagrams

An application to construct a building must be accompanied by shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

Wind Impact Report

An application to construct a building of five or more storeys, excluding a basement, must be accompanied by a wind impact assessment report prepared by a suitably qualified person to consider wind impacts, which must:

- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- For development with a total building height in excess of 30 metres, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing, unless otherwise agreed by the Responsible Authority.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Explain whether the outcome and Standard BF08 at Clause 43.06-7.8 are met.

9.0

31/03/2026
GC270

Notice and review

None specified.

10.0

31/03/2026
GC270

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.06, in addition to those specified in Clause 43.06-11 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Variations to discretionary standards

Where a proposal seeks to vary a discretionary standard in this clause:

Development – Building scale

- Whether the site area, including as a result of land consolidation, enables the management of amenity impacts from building heights exceeding the maximum building height specified in this schedule.
- Whether the building respects the height, scale and proportions of adjacent heritage buildings.
- Whether the building height responds to the site and adjacent existing or proposed development.
- Whether street wall and front wall heights and setbacks above street wall and front walls are appropriate considering:
 - The existing streetscape and site context.
 - The required floor to floor heights for commercial floor types.

Development – Detail design

- Whether the development provides high quality human scaled environments at ground level that provide visual interest.
- Whether the development provides appropriate landscaping, considering its context and the site's ability to provide meaningful landscaping.

Development – Impacts on adjoining land

- Whether the development provides equitable access on adjoining sites to privacy, daylight and outlook.
- Whether the development respects the amenity of adjoining residential land.
- Whether any additional overshadowing to the nominated spaces adversely affects the use, quality and amenity of the public space.

Development – Public realm

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
-

BAYSIDE PLANNING SCHEME

- Whether the proposal maintains safe and pleasant pedestrian microclimatic conditions on the footpath adjacent to the development and in the surrounding public realm areas.
- Whether a front setback is designed as part of the public domain and fully accessible to the public where a ground level (non-landscaped) setback is provided.

Decision guidelines applying to all applications

General

- Whether the proposal meets the development objectives and requirements of this schedule.
- Whether development achieves housing and employment at the scale sought by the development outcomes of this schedule.
- Whether the development provides for activation via the use of lobbies and other commercial entries, commercial activities, seating embedded in the façade, and other features which facilitate engagement, use and movement at ground level.

Development – Building scale

- Whether the site area is too small to achieve the preferred scale of development identified in the development framework.

Development – Detail design

- Whether the development allows for the adaptive re-use of existing heritage buildings.
- The extent of building articulation, visual interest and variety over the length of the street frontage.

Development – Sustainability

- The proposed sustainability rating of the building and extent the proposed initiatives address climate change impacts and contribute to mitigation through sustainable design and operational practices.
- Whether sustainable water, waste and energy management is proposed.
- The extent to which the proposed landscape and design response contributes to a greener environment and reduces urban heat.

Subdivision

- Whether a subdivision enables future development opportunities consistent with the scale envisioned in the relevant future character description.

Public benefits

- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
 - Affordable housing.
 - Provision of pedestrian connections or public open space in excess of any minimum requirement in this Scheme.

11.0

31/03/2026
GC270

Mandatory permit conditions

None specified.

12.0

31/03/2026
GC270

Signs

None specified.

13.0

31/03/2026
GC270

Transitional provisions

The requirements of Clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC270 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC270; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270.

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC270, continue to apply to applications which this transitional provision applies:

- Schedule 11 to Clause 43.02.
-

31/03/2026
GC270

SCHEDULE 8 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO8**.

HAMPTON TRAIN AND TRAM ZONE ACTIVITY CENTRE

1.0

31/03/2026
GC270

Development objectives

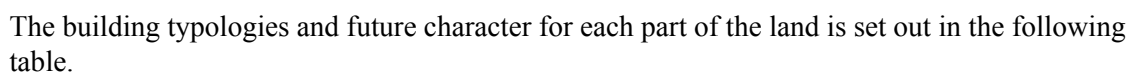
To promote development which achieves a high level of amenity and enhances the public realm with high quality design.

To achieve a scale of growth consistent with the development framework and to discourage underdevelopment.

To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and provides increased green cover and tree canopy coverage to reduce urban heat.

To increase permeability and connectivity for pedestrians and cyclists throughout the activity centre.

Map 1 to Schedule 8 to Clause 43.06: Development framework



BAYSIDE PLANNING SCHEME

Table 1: Building typology and future character statements

Building typology as shown on Map 1	Future character
Heritage Main Street Core	This typology will retain its heritage character, with heritage façades retained and new buildings respecting the scale and design of pre-existing heritage buildings. The scale of new street walls will be consistent with adjacent heritage façades. New development will occur above and behind heritage façades, with setbacks ensuring the new development does not dominate the heritage characteristics of the streetscape and the openness of the streetscape. Development will provide active street frontages, with commercial premises at ground level, and vehicle access provided to the rear where possible.
Non-Heritage Main Street Core	This typology will form the main street of the activity centre, with an urban form defined by its active street frontages and consistent streetscape presentation. Being in the heart of the centre, commercial activity will generally be provided at ground level, where a pedestrian environment is prioritised. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Fringe Precinct	This typology will mark a transition between the main street and lower-scale residential areas by providing a reduction in height and increased setbacks to residential interfaces. Commercial uses will be present at ground level, with commercial and residential premises above. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Limited Sensitivities	A mixture of commercial and residential built form is supported in the typology. New development will be expected to provide an active frontage to the public realm. New buildings should be high-rise (up to 40 to 53 metres/12 to 16 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm. Taller form is supported on larger sites, particularly where setback standards are maintained. Development may exceed the building heights standard where the site area, including as a result of lot consolidation, supports compliance with the other standards of this schedule.
Large Opportunity Sites	Sites that can accommodate multiple buildings in a variety of configurations on larger lots (generally over 5,000 sqm). New buildings should be high-rise (up to 40 to 53 metres/12 to 16 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm in terms of wind conditions and access to sunlight. Development of taller built form on these sites is supported and may exceed the building height standard where off-site amenity impacts are managed and public benefits provided.

3.031/03/2026
GC270**Master plan requirements****Land to which the master plan requirements apply**

The master plan requirements in Clause 43.06-3 apply to all land shown on Map 1 as master plan sites.

Requirement before a permit is granted

A permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that both:

- The granting of a permit will not prejudice the preparation of a master plan.
- The proposed use or development will not prejudice the orderly use and development of land in accordance with the objectives of this schedule.

Requirements for a master plan

A master plan must describe, as appropriate:

- Trees to be retained.
- Deep soil planting areas.
- Areas of any new planting for trees, green walls and facades, and other vegetation.
- The location and access arrangements of car and bicycle parking spaces.
- Public realm improvement works.

For the site at 355 to 377 Hampton Street, Hampton, a master plan must describe:

- How the site will connect pedestrians between Hampton Street and Willis Lane.
- The provision of vehicle access for car parking and loading from Willis Street and/or Willis Lane.
- The design response to the Hampton Street interface to respect the fine-grain, heritage character of Hampton Street.

4.031/03/2026
GC270**Public benefit uplift framework**

None specified.

5.031/03/2026
GC270**Buildings and works****Permit requirement**

A permit is not required for land in the Residential Growth Zone to:

- Extend one dwelling or construct or extend a small second dwelling.
 - Construct or carry out works normal to a dwelling.
-

- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the 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.

6.0

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GC270

Outcomes and standards

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any inconsistent standard set out in Clauses 54 to 58 (except where specified in this schedule). This does not apply to an application that has been made under Clause 53.22, Clause 53.23 or Clause 53.25, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1

Outcomes that do not apply

The outcome in Clause 43.06-7.3, Floor area ratios, does not apply.

6.2

Standards

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this overlay and schedule are not deemed to comply standards.

6.2-1

Building heights

Standard BF02

Standard BF02 does not apply to a heritage place which is included in the Victorian Heritage Register.

For Large Opportunity Sites shown on Map 1, the minimum building height does not apply.

BAYSIDE PLANNING SCHEME

Map 2 to Schedule 8 to Clause 43.06: Building heights

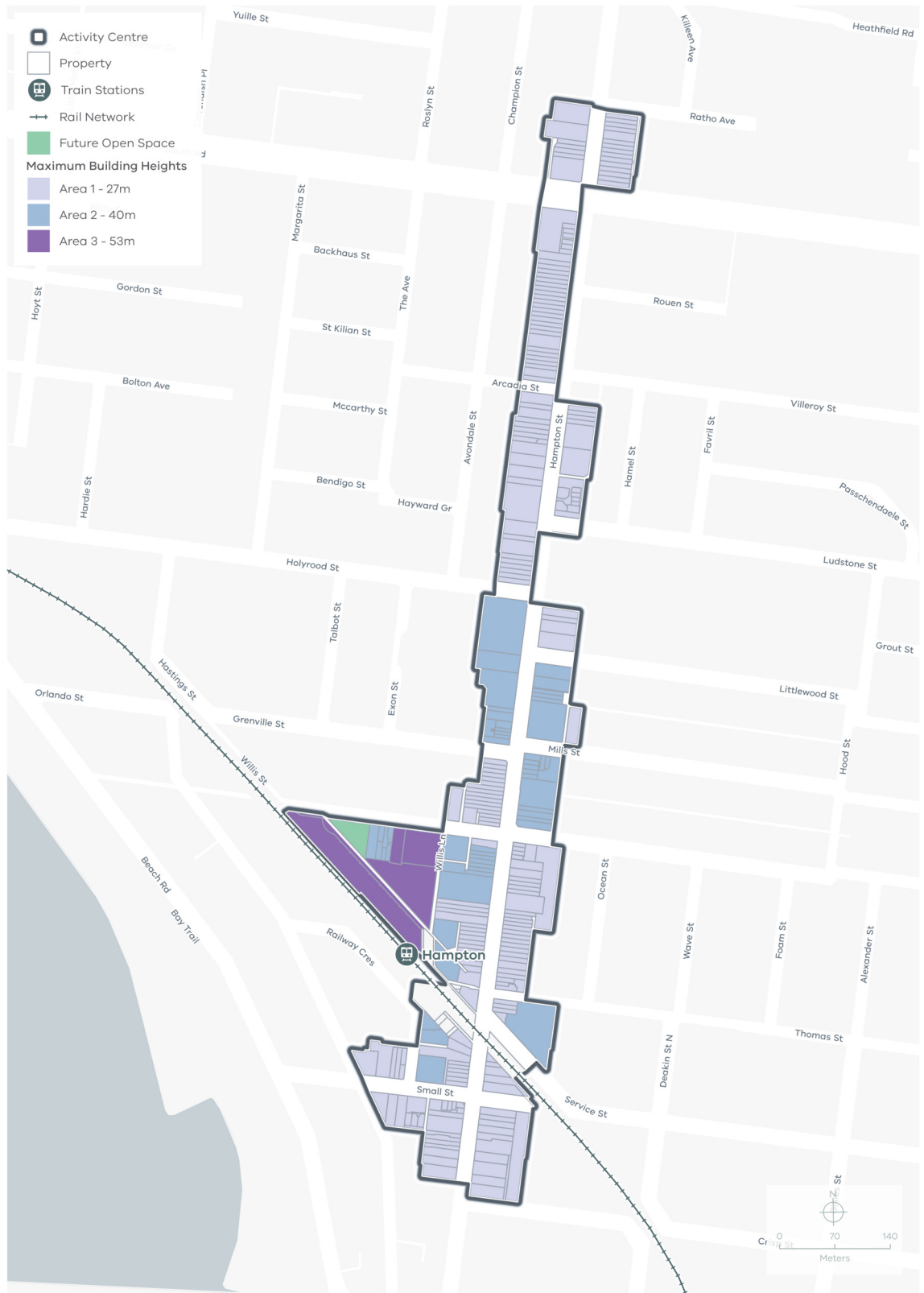


Table 2: Building height

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 1	13m	27m	Discretionary	Yes

BAYSIDE PLANNING SCHEME

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 2	21m	40m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Area 3	21m	53m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

6.2-2

Overshadowing of open space or public realm

The following standards replace Standard BF04 at Clause 43.06-7.4.

Buildings are to maintain existing sun access to the overshadowing areas identified at Table 3 using the specified sun access measurement.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

Table 3: Overshadowing of open space or public realm

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
Existing and proposed streets			
Key pedestrian streets as shown on Map 1	No additional overshadowing to the opposite footpath measured at least 5m from the property boundary between 10am and 2pm on 22 September.	Discretionary	Yes
All other streets	No additional overshadowing of opposite footpaths beyond the theoretical shadow cast by the maximum building envelope in Standard BF02 and BF05 between 10am and 2pm on 22 September.	Discretionary	No
Existing and proposed public open space			
Moderate protection as shown on Map 1	No additional overshadowing beyond the theoretical shadow	Mandatory	Yes

BAYSIDE PLANNING SCHEME

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
	cast by the maximum building podium envelope in Standard BF05 and Standard BF06 between 10am and 3pm on 21 June.		
All other public parks and public open spaces (including proposed public open space)	No additional overshadowing beyond the theoretical shadow cast by the maximum building envelope in Standard BF02, Standard BF05, and Standard BF06 between 10am and 3pm on 21 June.	Discretionary	No

6.2-3

Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Standard BF05

Requirements for land in or adjoining a Heritage Overlay

The following requirements apply to land in or adjoining a Heritage Overlay, in addition to the remaining requirements applying to all land. Where there is inconsistency between these requirements and the requirements applying to all land, these requirements prevail.

For development in a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than the heritage building on the site.
- Match the street wall or front wall height of heritage buildings on the site or match the street wall or front wall height of a heritage building on an adjoining site where there is no heritage building on the site.
- Provide a minimum 6m setback above the street wall or front wall.

For development adjoining a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than a heritage building on an adjoining site with the same frontage.
- Provide a street wall or front wall height no greater than the street wall or front wall height of a heritage building on an adjoining site, for a width of 6m from the property boundary of the adjoining property containing the heritage building.

Requirements applying to all land

For all land, new development should:

- Avoid a tiered built form and incorporate no more than one setback above the street wall or front wall.
- Provide street walls within 0.3m of the street boundary.

BAYSIDE PLANNING SCHEME

Map 3 to Schedule 8 to Clause 43.06: Street wall and front wall heights and setbacks above the street wall or front wall



Table 4: Street wall and front wall heights, setbacks above street walls or front walls

Street wall shown on Map 3	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 1	11m	Any part of the building above the proposed street wall or front wall: 6m	Discretionary	Yes
Street wall 2	11m	Any part of the building above the proposed street wall or front wall: 5m	Discretionary	Yes
Street wall 3	1:1 ratio of road reserve width to street wall or front wall height or 21m whichever is lesser	Any part of the building above the proposed street wall or front wall if the building is no greater than 27m in height: 3m Any part of the building above the proposed street wall or front wall if the building is greater than 27m in height: 5m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

6.2-4

Side and rear setbacks and building separation within a site

Standard BF06

Development should avoid a tiered built form and incorporate no more than two setbacks to each side and rear boundary above the podium.

Development should be set back from side or rear boundaries in accordance with Table 5, except where one or more of the following applies:

- Where a site adjoins a sensitive interface shown on Map 1, buildings should be set back from the specified sensitive interface boundary in accordance with Table 6.
- Where a site adjoins the future open space site at 6a Willis Street as shown on Map 3, buildings should be set back from the boundary to the open space by a minimum of 3m up to and including a height of 21m with landscaping provided within the setback. Above 21m, buildings should be setback in accordance with Table 5.
- Where a wall on boundary is proposed, a building should meet the wall on boundary requirements in Table 7 and 8 below. A wall on boundary should not be provided:

BAYSIDE PLANNING SCHEME

- For rear boundaries, on a site 1,500 square metres or greater in area.
- Where a site adjoins a sensitive interface shown on Map 1.
- Where a site that adjoins the future open space site at 6a Willis Street as shown on Map 3.

Table 5: Side and rear setbacks and building separation within a site

Part of building	Minimum setback to boundary line	Minimum building separation within a site	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 21m	4.5m	9m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m up to and including a height of 40m	6m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 40m	10m	20m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirements in Table 5 should be measured from the centreline of the laneway.

Table 6: Setbacks to sensitive interfaces

Part of building	Minimum setback to sensitive interface boundary line shown on Map 1	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 11m	6m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 11m up to and including a height of 21m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m	15m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a laneway, the setback requirements in Table 6 should be measured from the centreline of the laneway.

Table 7: Wall on rear boundary

Site size	Maximum height of wall on rear boundary	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	11m	Discretionary	Yes

Where a wall constructed on or within 200mm of a rear boundary is proposed, rear setbacks at Table 5 apply above the proposed wall on boundary.

Table 8: Wall on side boundary

Site width*	Maximum height of wall on side boundary	Discretionary or Mandatory	Deemed to comply
Less than 22m	21m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Between 22m and 30m	21m on one side boundary 11m on the other side boundary	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Greater than 30m	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

*Site width is measured as the site's average width, measured parallel to the frontage.

Where a wall constructed on or within 200mm of a side boundary is proposed, the side setbacks at Table 5 apply above the proposed wall on boundary.

6.2-5

Building layout and adaptability

Standard BF07

Apartment development should have a maximum floor plate size of 900sqm per tower, above the maximum street wall or front wall height.

Table 9: Floor to floor height

Floor type	Minimum floor to floor height (metres)	Discretionary or Mandatory	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes
Commercial Upper	4m	Discretionary	Yes
Residential (all)	3.2m	Discretionary	Yes

6.2-6 Active frontages**Standard BF09****Table 10: Minimum entry or window percentage**

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Primary active frontage	At least 80 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Secondary active frontage	At least 60 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Tertiary active frontage	At least 40 percent along the ground level frontage to a height of 2.5m	Discretionary	No

Note: Any vehicle entry does not contribute to the calculation of minimum entry or window percentage specified in Table 10.

6.2-7 Pedestrian connections**Standard BF10**

Map 1 indicates the 'Indicative' pedestrian connection alignments required by this standard.

6.2-8 Weather protection**Standard BF11**

Development should include continuous weather protection along primary and secondary active frontages shown on Map 1, except where a heritage place warrants an alternative approach.

6.2-9 Landscaping and fencing**Standard BF12**

The following standards do not apply to apartment developments to which Clause 58 applies.

Development should provide the minimum deep soil extent at ground level outlined in Table 11 below.

Table 11: Deep soil requirements

Site size	Minimum deep soil extent at ground level	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	0%	Discretionary	Yes
Between 1,500 – 5,000sqm	10%	Discretionary	Yes
Greater than 5,000sqm	15%	Discretionary	No

Development on sites greater than 1,500sqm should provide either of the following:

BAYSIDE PLANNING SCHEME

- At least two trees with a minimum canopy and height at maturity of 8m, with each tree having a minimum deep soil area of 49sqm (min. plan dimension 4.5m).
- At least one tree with a minimum canopy and height at maturity of 12m, within a minimum deep soil area of 121sqm (min. plan dimension 6.5m).

Development on all sites must ensure deep soil is not located above basements or other infrastructure.

6.2-10 Car parking design

Standard BF13

Vehicle access should be provided from laneways and secondary frontages. Where vehicle access cannot be provided from laneways and secondary frontages, access points should:

- Prioritise pedestrian flow, safety and amenity.
- Minimise impacts on the provision of public transport, and pedestrian and cyclist safety.
- Avoid street trees.

6.3 Other outcomes and standards

None specified.

7.0

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GC270

Subdivision

Permit requirements

None specified.

Subdivision requirements

Applications for subdivision should be consistent with the objective to maintain and enhance a subdivision pattern that supports high density development.

Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

8.0

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Application requirements

Design response

For an application to construct a building, in addition to the requirements of Clause 43.06-9, the design response must be accompanied by the following information, as appropriate:

- Explain how the proposed design will:
 - Provide high-quality public realm outcomes and ameliorate shadow and wind effects.
 - Respond to any significant heritage elements on adjoining properties.
 - Respond to adjacent buildings including likely adjacent equitable development envelopes.

Sustainable Design Assessment or Sustainability Management Plan

An application to construct a building must be accompanied by a Sustainable Design Assessment or a Sustainability Management Plan (including assessment using BESS/Green Star, STORM/MUSIC or other methods) and a Green Travel Plan, as relevant to the scale of development outlined at Clause 15.01-2L-02.

The assessment should identify environmentally sustainable development measures proposed in response to the following, having regard to the site's opportunities and constraints:

- Energy performance
- Integrated water management
- Indoor environment quality
- Transport
- Waste management
- Urban ecology

Landscaping Plan

An application to construct a building or construct or carry out works must be accompanied by a Landscaping Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

Shadow Diagrams

An application to construct a building must be accompanied by shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

Wind Impact Report

An application to construct a building of five or more storeys, excluding a basement, must be accompanied by a wind impact assessment report prepared by a suitably qualified person to consider wind impacts, which must:

- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- For development with a total building height in excess of 30 metres, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing, unless otherwise agreed by the Responsible Authority.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Explain whether the outcome and Standard BF08 at Clause 43.06-7.8 are met.

9.0

31/03/2026
GC270

Notice and review

None specified.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.06, in addition to those specified in Clause 43.06-11 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Variations to discretionary standards

Where a proposal seeks to vary a discretionary standard in this clause:

Development – Building scale

- Whether the site area, including as a result of land consolidation, enables the management of amenity impacts from building heights exceeding the maximum building height specified in this schedule.
- Whether the building respects the height, scale and proportions of adjacent heritage buildings.
- Whether the building height responds to the site and adjacent existing or proposed development.
- Whether street wall and front wall heights and setbacks above street wall and front walls are appropriate considering:
 - The existing streetscape and site context.
 - The required floor to floor heights for commercial floor types.

Development – Detail design

- Whether the development provides high quality human scaled environments at ground level that provide visual interest.
- Whether the development provides appropriate landscaping, considering its context and the site's ability to provide meaningful landscaping.

Development – Impacts on adjoining land

- Whether the development provides equitable access on adjoining sites to privacy, daylight and outlook.
- Whether the development respects the amenity of adjoining residential land.
- Whether any additional overshadowing to the nominated spaces adversely affects the use, quality and amenity of the public space.

Development – Public realm

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
- Whether the proposal maintains safe and pleasant pedestrian microclimatic conditions on the footpath adjacent to the development and in the surrounding public realm areas.
- Whether a front setback is designed as part of the public domain and fully accessible to the public where a ground level (non-landscaped) setback is provided.

Decision guidelines applying to all applications**General**

- Whether the proposal meets the development objectives and requirements of this schedule.
 - Whether development achieves housing and employment at the scale sought by the development outcomes of this schedule.
 - Whether the development provides for activation via the use of lobbies and other commercial entries, commercial activities, seating embedded in the façade, and other features which facilitate engagement, use and movement at ground level.
-

Development – Building scale

- Whether the site area is too small to achieve the preferred scale of development identified in the development framework.

Development – Detail design

- Whether the development allows for the adaptive re-use of existing heritage buildings.
- The extent of building articulation, visual interest and variety over the length of the street frontage.

Development – Sustainability

- The proposed sustainability rating of the building and extent the proposed initiatives address climate change impacts and contribute to mitigation through sustainable design and operational practices.
- Whether sustainable water, waste and energy management is proposed.
- The extent to which the proposed landscape and design response contributes to a greener environment and reduces urban heat.

Subdivision

- Whether a subdivision enables future development opportunities consistent with the scale envisioned in the relevant future character description.

Public benefits

- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
 - Affordable housing.
 - Provision of pedestrian connections or public open space in excess of any minimum requirement in this Scheme.

11.0

31/03/2026
GC270

Mandatory permit conditions

None specified.

12.0

31/03/2026
GC270

Signs

None specified.

13.0

31/03/2026
GC270

Transitional provisions

The requirements of Clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC270 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC270; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270.

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC270, continue to apply to applications which this transitional provision applies:

BAYSIDE PLANNING SCHEME

- Schedule 12 to Clause 43.02.

31/03/2026
GC270

SCHEDULE 9 TO CLAUSE 43.06 BUILT FORM OVERLAY

Shown on the planning scheme map as **BFO9**.

SANDRINGHAM TRAIN AND TRAM ZONE ACTIVITY CENTRE

1.0

31/03/2026
GC270

Development objectives

To promote development which achieves a high level of amenity and enhances the public realm with high quality design.

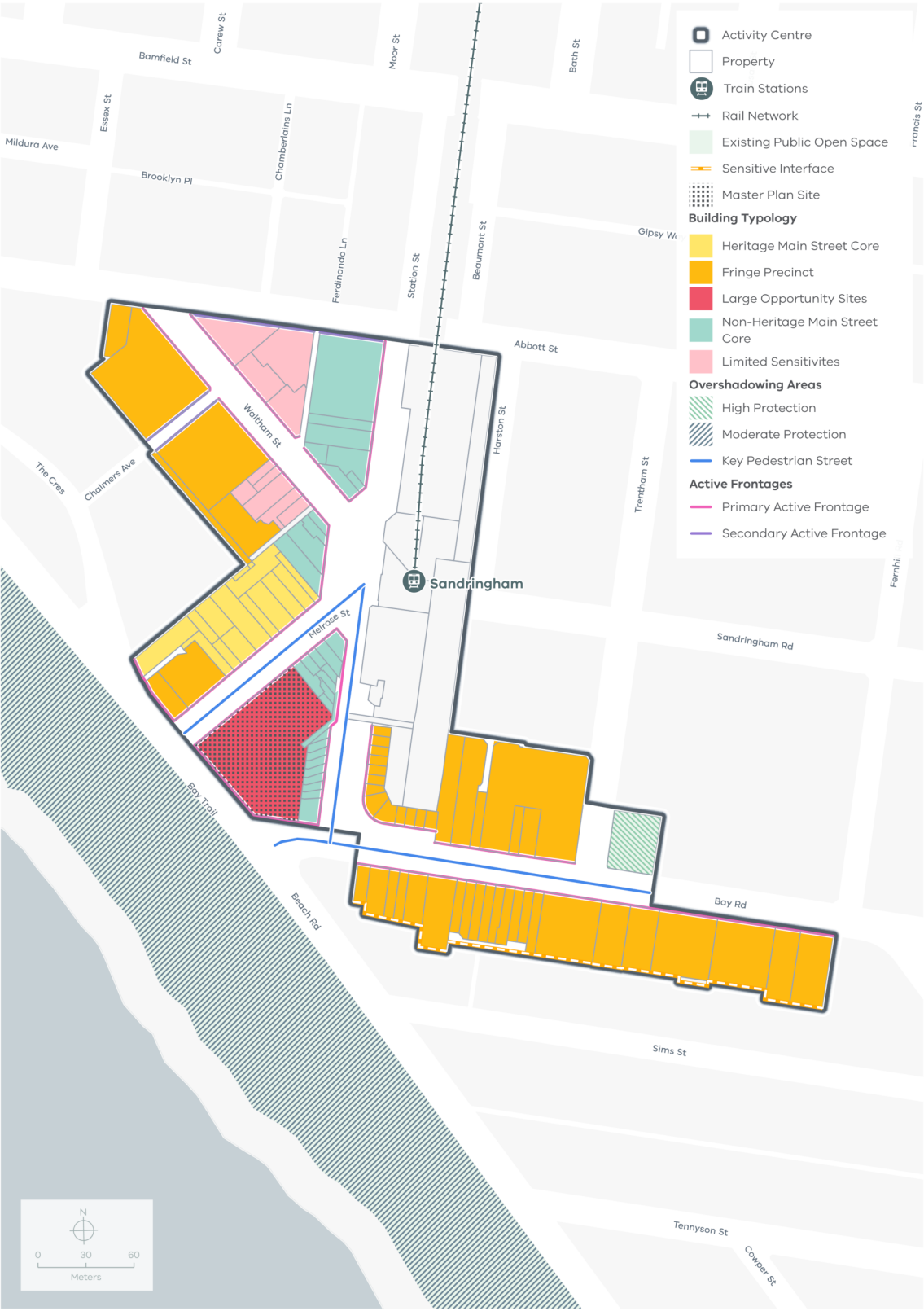
To achieve a scale of growth consistent with the development framework and to discourage underdevelopment.

To promote sustainable development that achieves best practice sustainable design, contributes positively to sustainable transport patterns and provides increased green cover and tree canopy coverage to reduce urban heat.

To increase permeability and connectivity for pedestrians and cyclists throughout the activity centre.

Development framework

Map 1 to Schedule 9 to Clause 43.06: Development framework



The building typologies and future character for each part of the land is set out in the following table.

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Table 1: Building typology and future character statements

Building typology as shown on Map 1	Future character
Heritage Main Street Core	This typology will retain its heritage character, with heritage façades retained and new buildings respecting the scale and design of pre-existing heritage buildings. The scale of new street walls will be consistent with adjacent heritage façades. New development will occur above and behind heritage façades, with setbacks ensuring the new development does not dominate the heritage characteristics of the streetscape and the openness of the streetscape. Development will provide active street frontages, with commercial premises at ground level, and vehicle access provided to the rear where possible.
Non-Heritage Main Street Core	This typology will form the main street of the activity centre, with an urban form defined by its active street frontages and consistent streetscape presentation. Being in the heart of the centre, commercial activity will generally be provided at ground level, where a pedestrian environment is prioritised. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Fringe Precinct	This typology will mark a transition between the main street and lower-scale residential areas by providing a reduction in height and increased setbacks to residential interfaces. Commercial uses will be present at ground level, with commercial and residential premises above. Taller built form will be setback behind street walls, with streetscapes remaining open and sunny.
Limited Sensitivities	A mixture of commercial and residential built form is supported in the typology. New development will be expected to provide an active frontage to the public realm. New buildings should be high-rise (up to 40 metres/12 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm. Taller form is supported on larger sites, particularly where setback standards are maintained. Development may exceed the building heights standard where the site area, including as a result of lot consolidation, supports compliance with the other standards of this schedule.
Large Opportunity Sites	Sites that can accommodate multiple buildings in a variety of configurations on larger lots (generally over 5,000 sqm). New buildings should be high-rise (up to 34 metres/10 storeys) with podiums and upper-level setbacks that relate to the width of the street to provide a comfortable public realm in terms of wind conditions and access to sunlight. Development of taller built form on these sites is supported and may exceed the building height standard where off-site amenity impacts are managed and public benefits provided.

3.031/03/2026
GC270**Master plan requirements****Land to which the master plan requirements apply**

The master plan requirements in Clause 43.06-3 apply to all land shown on Map 1 as master plan sites.

Requirement before a permit is granted

A permit may be granted before a master plan has been prepared to the satisfaction of the responsible authority if the responsible authority is satisfied that both:

- The granting of a permit will not prejudice the preparation of a master plan.
- The proposed use or development will not prejudice the orderly use and development of land in accordance with the objectives of this schedule.

Requirements for a master plan

A master plan must describe, as appropriate:

- Trees to be retained.
- Deep soil planting areas.
- Areas of any new planting for trees, green walls and facades, and other vegetation.
- The location and access arrangements of car and bicycle parking spaces.
- Public realm improvement works.

For the site at 118-120 Beach Road, Sandringham, a master plan must describe:

- The design response to the Beach Road and foreshore interface that recognises the significance of the site as a gateway site to the centre.
- The provision of vehicle access for car parking and loading away from Beach Road.

4.031/03/2026
GC270**Public benefit uplift framework**

None specified.

5.031/03/2026
GC270**Buildings and works**

None specified.

6.031/03/2026
GC270**Outcomes and standards**

The outcomes and standards in this overlay and this schedule prevail over any inconsistent provision in this planning scheme, including any inconsistent standard set out in Clauses 54 to 58 (except where specified in this schedule). This does not apply to an application that has been made under Clause 53.22, Clause 53.23 or Clause 53.25, which prevail to the extent of any inconsistent provision in the Built Form Overlay.

6.1**Outcomes that do not apply**

The outcome in Clause 43.06-7.3, Floor area ratios, does not apply.

6.2**Standards**

Any standard specified in this schedule is in addition to any standard in clause 43.06-7 for the corresponding outcome, unless specified otherwise below.

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If land is in a Heritage Overlay, or is land adjoining a Heritage Overlay, all standards in this overlay and schedule are not deemed to comply standards.

6.2-1

Building heights

Standard BF02

Standard BF02 does not apply to a heritage place which is included in the Victorian Heritage Register.

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Map 2 to Schedule 9 to Clause 43.06: Building heights



Table 2: Building height

Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 1	10m	21m	Discretionary	Yes

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Area as shown on Map 2	Minimum building height	Maximum building height	Discretionary or Mandatory	Deemed to comply
Area 2	13m	27m	Discretionary	Yes
Area 3	None specified	34m	Discretionary	No
Area 4	21m	40m	Discretionary	Yes

6.2-2 Overshadowing of open space or public realm

The following standards replace Standard BF04 at Clause 43.06-7.4.

Buildings are to maintain existing sun access to the overshadowing areas identified at Table 3 using the specified sun access measurement.

This does not apply to shadow cast by:

- Incidental elements such as canopies, kiosks, artworks, screens or trees.
- Buildings and works constructed within the open space or street.

Table 3: Overshadowing of open space or public realm

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
Existing and proposed streets			
Key pedestrian streets as shown on Map 1	No additional overshadowing to the opposite footpath measured at least 5m from the property boundary between 10am and 2pm on 22 September.	Discretionary	Yes
All other streets	No additional overshadowing of opposite footpaths beyond the theoretical shadow cast by the maximum building envelope in Standard BF02 and BF05 between 10am and 2pm on 22 September.	Discretionary	No
Existing and proposed public open space			
High protection as shown on Map 1	No additional overshadowing between 10am and 3pm on 21 June.	Mandatory	Yes
Moderate protection as shown on Map 1	No additional overshadowing beyond the theoretical shadow	Mandatory	Yes

BAYSIDE PLANNING SCHEME

Overshadowing area	Sun access measurement	Discretionary or Mandatory	Deemed to comply
	cast by the maximum building podium envelope in Standard BF05 and Standard BF06 between 10am and 3pm on 21 June.		
All other public parks and public open spaces (including proposed public open space)	No additional overshadowing beyond the theoretical shadow cast by the maximum building envelope in Standard BF02, Standard BF05, and Standard BF06 between 10am and 3pm on 21 June.	Discretionary	No

6.2-3

Front setbacks, street wall and front wall heights, setbacks above the street wall and front wall, and landscaped setbacks

Standard BF05

Requirements for land in or adjoining a Heritage Overlay

The following requirements apply to land in or adjoining a Heritage Overlay, in addition to the remaining requirements applying to all land. Where there is inconsistency between these requirements and the requirements applying to all land, these requirements prevail.

For development in a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than the heritage building on the site.
- Match the street wall or front wall height of heritage buildings on the site or match the street wall or front wall height of a heritage building on an adjoining site where there is no heritage building on the site.
- Provide a minimum 6m setback above the street wall or front wall.

For development adjoining a Heritage Overlay, new development should:

- Provide a front setback equal to or greater than a heritage building on an adjoining site with the same frontage.
- Provide a street wall or front wall height no greater than the street wall or front wall height of a heritage building on an adjoining site, for a width of 6m from the property boundary of the adjoining property containing the heritage building.

Requirements applying to all land

For all land, new development should:

- Avoid a tiered built form and incorporate no more than one setback above the street wall or front wall.
- For areas shown as requiring a landscaped setback in Table 4, provide landscaping between the front wall and the front property boundary.
- For areas where no setback is shown at Map 3, provide street walls within 0.3m of the street boundary.

BAYSIDE PLANNING SCHEME

Map 3 to Schedule 9 to Clause 43.06: Front setbacks and landscaped setbacks



Table 4: Front setbacks and landscaped setbacks

Setback shown on Map 3	Minimum front setback	Landscaped setback	Discretionary or Mandatory	Deemed to comply
Setback 1	2.5m	Yes	Discretionary	Yes

BAYSIDE PLANNING SCHEME

Map 4 to Schedule 9 to Clause 43.06: Street wall or front wall heights and setbacks above the street wall or front wall



Table 5: Street wall and front wall heights, setbacks above street walls or front walls

Street wall shown on Map 4	Maximum street wall or front wall height	Minimum setback above street wall or front wall	Discretionary or Mandatory	Deemed to comply
Street wall 1	11m	Any part of the building above the proposed street wall or front wall: 6m	Discretionary	Yes
Street wall 2	11m	Any part of the building above the proposed street wall or front wall: 5m	Discretionary	Yes
Street wall 3	1:1 ratio of road reserve width to street wall or front wall height or 21m whichever is lesser	Any part of the building above the proposed street wall or front wall if the building is no greater than 27m in height: 3m Any part of the building above the proposed street wall or front wall if the building is greater than 27m in height: 5m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1.

6.2-4

Side and rear setbacks and building separation within a site

Standard BF06

Development should avoid a tiered built form and incorporate no more than two setbacks to each side and rear boundary above the podium.

Development should be set back from side or rear boundaries in accordance with Table 6, except where one or more of the following applies:

- Where a site adjoins a sensitive interface shown on Map 1, buildings should be set back from the specified sensitive interface boundary in accordance with Table 7.
- Where a wall on boundary is proposed, a building should meet the wall on boundary requirements in Table 8 and 9 below. A wall on boundary should not be provided:
 - For rear boundaries, on a site 1,500 square metres or greater in area.
 - Where a site adjoins a sensitive interface shown on Map 1.

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Table 6: Side and rear setbacks and building separation within a site

Part of building	Minimum setback to boundary line	Minimum building separation within a site	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 21m	4.5m	9m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m up to and including a height of 40m	6m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 40m	10m	20m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a rear or side laneway, the setback requirements in Table 6 should be measured from the centreline of the laneway.

Table 7: Setbacks to sensitive interfaces

Part of building	Minimum setback to sensitive interface boundary line shown on Map 1	Discretionary or Mandatory	Deemed to comply
Up to and including a height of 11m	6m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 11m up to and including a height of 21m	12m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Above a height of 21m	15m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Note: Where the neighbouring property is separated from the site by a laneway, the setback requirements in Table 7 should be measured from the centreline of the laneway.

Table 8: Wall on rear boundary

Site size	Maximum height of wall on rear boundary	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

Where a wall constructed on or within 200mm of a rear boundary is proposed, rear setbacks at Table 6 apply above the proposed wall on boundary.

Table 9: Wall on side boundary

Site width*	Maximum height of wall on side boundary	Discretionary or Mandatory	Deemed to comply
Less than 22m	21m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Between 22m and 30m	21m on one side boundary 11m on the other side boundary	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1
Greater than 30m	11m	Discretionary	Yes, except at land shown as Large Opportunity Sites on Map 1

*Site width is measured as the site's average width, measured parallel to the frontage.

Where a wall constructed on or within 200mm of a side boundary is proposed, the side setbacks at Table 6 apply above the proposed wall on boundary.

6.2-5

Building layout and adaptability

Standard BF07

Apartment development should have a maximum floor plate size of 900sqm per tower, above the maximum street wall or front wall height.

Table 10: Floor to floor height

Floor type	Minimum floor to floor height (metres)	Discretionary or Mandatory	Deemed to comply
Commercial Ground	4.5m	Discretionary	Yes
Commercial Upper	4m	Discretionary	Yes
Residential (all)	3.2m	Discretionary	Yes

6.2-6 Active frontages**Standard BF09****Table 11: Minimum entry or window percentage**

Frontage type as shown on Map 1	Minimum entry or window percentage	Discretionary or Mandatory	Deemed to comply
Primary active frontage	At least 80 percent along the ground level frontage to a height of 2.5m	Discretionary	No
Secondary active frontage	At least 60 percent along the ground level frontage to a height of 2.5m	Discretionary	No

Note: Any vehicle entry does not contribute to the calculation of minimum entry or window percentage specified in Table 11.

6.2-7 Weather protection**Standard BF11**

Development should include continuous weather protection along primary and secondary active frontages shown on Map 1, except where one of the following warrants an alternative approach:

- A heritage place.
- Where a landscaped setback is required under Clause 6.2-3 of this schedule.

6.2-8 Landscaping and fencing**Standard BF12**

The following standards do not apply to apartment developments to which Clause 58 applies.

Development should provide the minimum deep soil extent at ground level outlined in Table 12 below.

Table 12: Deep soil requirements

Site size	Minimum deep soil extent at ground level	Discretionary or Mandatory	Deemed to comply
Less than 1,500sqm	0%	Discretionary	Yes
Between 1,500 – 5,000sqm	10%	Discretionary	Yes
Greater than 5,000sqm	15%	Discretionary	No

Development on sites greater than 1,500sqm should provide either of the following:

- At least two trees with a minimum canopy and height at maturity of 8m, with each tree having a minimum deep soil area of 49sqm (min. plan dimension 4.5m).
- At least one tree with a minimum canopy and height at maturity of 12m, within a minimum deep soil area of 121sqm (min. plan dimension 6.5m).

Development on all sites must ensure deep soil is not located above basements or other infrastructure.

6.2-9 Car parking design**Standard BF13**

Vehicle access should be provided from laneways and secondary frontages. Where vehicle access cannot be provided from laneways and secondary frontages, access points should:

- Prioritise pedestrian flow, safety and amenity.
- Minimise impacts on the provision of public transport, and pedestrian and cyclist safety.
- Avoid street trees.

6.3 Other outcomes and standards

None specified.

7.0 Subdivision

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Permit requirements

None specified.

Subdivision requirements

Applications for subdivision should be consistent with the objective to maintain and enhance a subdivision pattern that supports high density development.

Public open space contribution requirement

Type or location of subdivision	Amount of contribution for public open space
None specified	None specified

8.0 Application requirements

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Design response

For an application to construct a building, in addition to the requirements of Clause 43.06-9, the design response must be accompanied by the following information, as appropriate:

- Explain how the proposed design will:
 - Provide high-quality public realm outcomes and ameliorate shadow and wind effects.
 - Respond to any significant heritage elements on adjoining properties.
 - Respond to adjacent buildings including likely adjacent equitable development envelopes.

Sustainable Design Assessment or Sustainability Management Plan

An application to construct a building must be accompanied by a Sustainable Design Assessment or a Sustainability Management Plan (including assessment using BESS/Green Star, STORM/MUSIC or other methods) and a Green Travel Plan, as relevant to the scale of development outlined at Clause 15.01-2L-02.

The assessment should identify environmentally sustainable development measures proposed in response to the following, having regard to the site's opportunities and constraints:

- Energy performance
- Integrated water management

- Indoor environment quality
- Transport
- Waste management
- Urban ecology

Landscaping Plan

An application to construct a building or construct or carry out works must be accompanied by a Landscaping Plan that addresses:

- Measures to achieve the targeted deep soil areas and canopy trees across the site area.
- Strategies to retain and enhance existing site vegetation where appropriate.
- A maintenance plan for the proposed green cover.
- Any measures to improve the public realm interfaces adjacent the site.

Shadow Diagrams

An application to construct a building must be accompanied by shadow diagrams showing hourly diagrams between the control period specified at Standard BF04 of this schedule.

Wind Impact Report

An application to construct a building of five or more storeys, excluding a basement, must be accompanied by a wind impact assessment report prepared by a suitably qualified person to consider wind impacts, which must:

- Explain the effect of the proposed development on the wind conditions in publicly accessible areas within a distance equal to half the longest width of the building, measured from all façades, or half the total height of the building, whichever is greater.
- For development with a total building height in excess of 30 metres, model the wind effects of the proposed development and its surrounding buildings (existing and proposed) using wind tunnel testing, unless otherwise agreed by the Responsible Authority.
- Identify the principal role of each portion of the publicly accessible areas for sitting, standing or walking purposes.
- Explain whether the outcome and Standard BF08 at Clause 43.06-7.8 are met.

9.0

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Notice and review

None specified.

10.0

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Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.06, in addition to those specified in Clause 43.06-11 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Variations to discretionary standards

Where a proposal seeks to vary a discretionary standard in this clause:

Development – Building scale

- Whether the site area, including as a result of land consolidation, enables the management of amenity impacts from building heights exceeding the maximum building height specified in this schedule.
 - Whether the building respects the height, scale and proportions of adjacent heritage buildings.
-

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- Whether the building height responds to the site and adjacent existing or proposed development.
- Whether street wall and front wall heights and setbacks above street wall and front walls are appropriate considering:
 - The existing streetscape and site context.
 - The required floor to floor heights for commercial floor types.

Development – Detail design

- Whether the development provides high quality human scaled environments at ground level that provide visual interest.
- Whether the development provides appropriate landscaping, considering its context and the site's ability to provide meaningful landscaping.

Development – Impacts on adjoining land

- Whether the development provides equitable access on adjoining sites to privacy, daylight and outlook.
- Whether the development respects the amenity of adjoining residential land.
- Whether any additional overshadowing to the nominated spaces adversely affects the use, quality and amenity of the public space.

Development – Public realm

- Whether there are reasonable opportunities to contribute to and fulfil the completion of a through-block pedestrian connection on adjacent land over time.
- Whether the proposal maintains safe and pleasant pedestrian microclimatic conditions on the footpath adjacent to the development and in the surrounding public realm areas.
- Whether a front setback is designed as part of the public domain and fully accessible to the public where a ground level (non-landscaped) setback is provided.

Decision guidelines applying to all applications

General

- Whether the proposal meets the development objectives and requirements of this schedule.
- Whether development achieves housing and employment at the scale sought by the development outcomes of this schedule.
- Whether the development provides for activation via the use of lobbies and other commercial entries, commercial activities, seating embedded in the façade, and other features which facilitate engagement, use and movement at ground level.

Development – Building scale

- Whether the site area is too small to achieve the preferred scale of development identified in the development framework.

Development – Detail design

- Whether the development allows for the adaptive re-use of existing heritage buildings.
- The extent of building articulation, visual interest and variety over the length of the street frontage.

Development – Sustainability

- The proposed sustainability rating of the building and extent the proposed initiatives address climate change impacts and contribute to mitigation through sustainable design and operational practices.
-

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- Whether sustainable water, waste and energy management is proposed.
- The extent to which the proposed landscape and design response contributes to a greener environment and reduces urban heat.

Subdivision

- Whether a subdivision enables future development opportunities consistent with the scale envisioned in the relevant future character description.

Public benefits

- Whether the proposal results in, or substantially facilitates, the delivery of appropriately secured public benefits including:
 - Affordable housing.
 - Provision of pedestrian connections or public open space in excess of any minimum requirement in this Scheme.

11.0

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Mandatory permit conditions

None specified.

12.0

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Signs

None specified.

13.0

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Transitional provisions

The requirements of Clause 43.06 and this schedule do not apply to:

- An application made before the approval date of Amendments GC270 to this planning scheme. For the avoidance of doubt, this includes an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270;
- An amended permit application under section 72 of the Act, if the original application in respect of which that permit was first granted (that is, before it was first amended) was either:
 - made before the approval date of Amendments GC270; or
 - an amended application under section 50, 50A or 57A of the Act if the original application was made before the approval date of Amendments GC270.

The following provisions, as in force in relation to relevant land immediately before the approval date of Amendments GC270, continue to apply to applications which this transitional provision applies:

- Schedule 8 to Clause 43.02.
-

LAND MANAGEMENT OVERLAYS

44.0106/09/2021
VC171**EROSION MANAGEMENT OVERLAY**

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

Purpose

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

To protect areas prone to erosion, landslip, other land degradation or coastal processes by minimising land disturbance and inappropriate development.

44.01-131/07/2018
VC148**Erosion management objectives and statement of risk**

A schedule to this overlay may contain:

- Erosion management objectives to be achieved.
- A statement of risk.

44.01-214/12/2023
VC253**Buildings and works**

A permit is required to construct a building or construct or carry out works, including:

- Roadworks (other than roadworks constructed or carried out by or on behalf of the Head, Transport for Victoria).
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Any other matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05
▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank.	
The buildings and works must be associated with a dwelling or a small second dwelling.	

44.01-331/07/2018
VC148**Vegetation removal**

A permit is required to remove, destroy or lop any vegetation. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

Table of exemptions

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or - where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: - fire fighting; - planned burning; - making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; - making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); - is ground fuel within 30 metres of a building and is vegetation other than native vegetation; - in accordance with a fire prevention notice issued under either: - section 87 of the <i>Fire Rescue Victoria Act 1958</i>; - section 65 of the <i>Forests Act 1958</i>; or - section 41 of the <i>Country Fire Authority Act 1958</i>. - keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; - minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i>.
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i>.
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i>.
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i>.

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The requirement to obtain a permit does not apply to:

Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>: ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i>
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i>. This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:

	- a natural resources agreement under Part 6 of the <i>Traditional Owners Settlement Act 2010</i>; or - an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional owners Settlement Amendment Act</i> in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

44.01-5

31/07/2018
VC148

Subdivision

A permit is required to subdivide land.

44.01-6

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

44.01-7

15/09/2022
VC225

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

44.01-8

14/01/2025
VC237

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- Civil Construction, Building and Demolition Guide* (Publication 1834, Environment Protection Authority, November 2020).
- Control of Erosion on Construction Sites* (Michael Ransom and Soil Conservation Authority, 1984).
- Your Dam: an Asset or a Liability* (Department of Conservation and Natural Resources and Rural Water Corporation Victoria, 1993).
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.

BAYSIDE PLANNING SCHEME

- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
 - The need to stabilise disturbed areas by engineering works or revegetation.
 - Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
 - Whether buildings or works are likely to cause erosion or landslip.
 - Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
 - Land Capability Report (if prepared) as developed by the Department of Energy, Environment and Climate Action.
 - The need to remove, destroy or lop vegetation to create defensible space to reduce the risk of bushfire to life and property.
 - Any technical information or reports required to be provided by a schedule to this overlay.
 - Any other matters specified in a schedule to this overlay.
-

04/02/2021
C168bays

SCHEDULE TO CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

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

EROSION PRONE SLOPES

1.0

04/02/2021
C168bays

Erosion management objectives to be achieved

None specified.

2.0

04/02/2021
C168bays

Statement of risk

The proper management of erosion prone and unstable slopes is critical to sustainable land use and the maintenance of environmental values.

Erosion increases the siltation and turbidity of inshore waters, decreases the viability of vegetation communities and reduces habitat areas. Areas of erosion prone slopes are along the coastal zone. These slopes are very susceptible to erosion and care must be taken in the siting and construction of buildings and works as well as in the management of vegetation and public access to the foreshore area.

Mass wastage and erosion decreases the viability of vegetation communities and reduces habitat areas.

Areas of unstable slopes are limited along the coastal zone and are more susceptible to major slope instability if disturbed by earthworks for buildings, service lines and the like. Human activity in areas such as the Beaumaris Bay Fossil Site is limited due to the instability of the slopes.

3.0

04/02/2021
C168bays

Permit requirement

None specified.

4.0

04/02/2021
C168bays

Application requirements

None specified.

5.0

04/02/2021
C168bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 44.01, in addition to those specified in Clause 44.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether there is any reasonable alternative site for the proposed building or works outside of the overlay area, or any alternative land management practices or alternative construction methods, that would better meet the objectives of this schedule.
 - Whether the proposed works are associated with essential works crossing the area, including the installation of utility services or the provision of an access track.
 - The means of treatment or disposal of all sewage, sullage and other wastes if connection to a reticulated sewerage system is not viable.
 - The existing use of the land and the purpose of the proposed building or works in relation to the existing use.
 - Any proposed measures to minimise changes in subsoil water conditions.
 - The comments of relevant coastal management authorities.
-

44.05

01/07/2021
VC203

SPECIAL BUILDING OVERLAY

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

Purpose

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

To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

44.05-1

31/07/2018
VC148

Flooding management objectives and statement of risk

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

44.05-2

16/10/2025
VC288

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling or small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling or small second dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

BAYSIDE PLANNING SCHEME

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.
- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To an upper storey extension to an existing building.
- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.
- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.
- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.
- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.
- To a replacement fence in the same location and of the same type and materials as the existing fence.
- To a pergola or an open deck area with unenclosed foundations.
- To a carport constructed over an existing carspace.
- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.
- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.
- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.
- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.
- To radio masts, light poles or signs on posts or attached to buildings.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a building or construct or carry out works.	Clause 59.08

44.05-316/10/2025
VC288**Subdivision**

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Any of the following classes of subdivision:	Clause 59.08
▪ Subdivide land to realign the common boundary between two lots where the area of either lot is reduced by less than 15 per cent and the general direction of the common boundary does not change. ▪ Subdivide land into lots each containing an existing building or car parking space where: – The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. – An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within five years prior to the application for a permit for subdivision. ▪ Subdivide land into two lots if: – The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired. – The construction or carrying out of the approved building or works on the land has started lawfully. – The subdivision does not create a vacant lot.	
Subdivide land into two lots if:	Clause 59.08
▪ 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. ▪ Each lot will contain either: – one existing dwelling; or – one dwelling permitted to be constructed in accordance with the permit.	

44.05-431/07/2018
VC148**Application requirements**

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.

- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

44.05-5

31/07/2018
VC148

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

44.05-6

31/07/2018
VC148

Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

44.05-7

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.

BAYSIDE PLANNING SCHEME

04/02/2021
C168bays

SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

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

1.0

04/02/2021
C168bays

Flooding management objectives to be achieved

None specified.

2.0

04/02/2021
C168bays

Statement of risk

None specified.

3.0

04/02/2021
C168bays

Permit requirement

None specified.

4.0

04/02/2021
C168bays

Application requirements

None specified.

5.0

04/02/2021
C168bays

Decision guidelines

None specified.

OTHER OVERLAYS

45.0301/07/2021
VC203**ENVIRONMENTAL AUDIT OVERLAY**

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

Purpose

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

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Application

This provision applies to land in an Environmental Audit Overlay and applies whether or not a permit is required.

45.03-104/05/2022
VC210**Requirement**

Before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970* stating that the environmental conditions of the land are suitable for the use or proposed use.

Exemption from requirement

The requirement for a preliminary risk screen assessment statement, an environmental audit statement, a certificate of environmental audit or a statement of environmental audit in this provision does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children's playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
 - The buildings and works are required by the Environment Protection Authority or an environmental auditor appointed under the *Environment Protection Act 2017* to make the site suitable for use; or
 - The buildings and works are reasonably required by environmental auditor appointed under the *Environment Protection Act 2017* or the *Environment Protection Act 1970* to undertake a preliminary risk screen assessment or environmental audit.
-

45.06

31/07/2018
VC148

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

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

Purpose

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

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

45.06-1

19/01/2006
VC37

Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

45.06-2

19/01/2006
VC37

Preparation of a development contributions plan

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.

17/08/2017
C139**SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**Shown on the planning scheme map as **DCPO1**.**BAYSIDE DRAINAGE DEVELOPMENT CONTRIBUTIONS PLAN****1.0**17/08/2017
C139**Area covered by this development contributions plan**Land within the **DCPO1** area.**2.0**17/08/2017
C139**Summary of costs**

Facility	Total cost \$	Time of provision	Actual cost contribution attributable to development \$	Proportion of cost attributable to development %
Drainage	16,085,291	20 years	7,881,800	49
TOTAL	16,085,291	20 years	7,881,800	49

3.017/08/2017
C139**Summary of contributions**

Facility	Levies payable by the development (\$)					
	Development infrastructure		Community infrastructure		All infrastructure	
	residential	non-residential	residential	non-residential	residential	non-residential
Drainage	2000	520	0	0	2000	520
TOTAL	2000	520	0	0	2000	520

Note: The levy payable by development on residential land is specified in dollars per dwelling (note: a ground floor dwelling equates to 2 upper floor dwellings) and for other development in dollars according to site area.

The levy payable by commercial development is in dollars per 100 sq.m of site area or additional gross building floor area, whichever is the lesser.

The amounts in this schedule are in December 2014 dollars. The responsible authority will adjust the levy annually commencing in 2017 by applying the Building Price Index, as published in the latest edition of Rawlinsons Australian Construction Handbook.

4.015/01/2024
VC249**Land or development excluded from development contributions plan**

The following development is exempt from the development contributions plan:

- Residential development that does not create any additional dwellings, including the development of land for a small second dwelling;
- Commercial development that does not create any additional floor space; or
- Development on public land.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.

45.09

31/07/2018
VC148

PARKING OVERLAY

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

Purpose

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

To facilitate an appropriate provision of car parking spaces in an area.

To identify areas and uses where local car parking rates apply.

To identify areas where financial contributions are to be made for the provision of shared car parking.

45.09-1

19/04/2013
VC95

Operation

This overlay operates in conjunction with Clause 52.06.

A schedule to this overlay may:

- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

45.09-2

19/04/2013
VC95

Parking objectives

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

45.09-3

25/05/2017
VC133

Permit requirement

A schedule to this overlay may specify that:

- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

45.09-4

19/04/2013
VC95

Number of car parking spaces required

A schedule to this overlay may:

- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

45.09-5

25/05/2017
VC133

Application requirements and decision guidelines for permit applications

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:

- The parking objectives of the relevant schedule to this overlay.
- Any application requirements and decision guidelines specified in a schedule to this overlay.

45.09-6

19/04/2013
VC95

Financial contribution requirement

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

45.09-7

25/05/2017
VC133

Requirements for a car parking plan

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

45.09-8

25/05/2017
VC133

Design standards for car parking

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

45.09-9

25/05/2017
VC133

Decision guidelines for car parking plans

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.

29/03/2018
C157**SCHEDULE 1 TO CLAUSE 45.09 PARKING OVERLAY**

Shown on the planning scheme map as **PO1**.

PUBLIC HOUSING RENEWAL - NEW STREET, BRIGHTON**1.0**29/03/2018
C157**Parking objectives to be achieved**

To identify appropriate car parking rates for residential uses within the site.

2.029/03/2018
C157**Permit requirement**

A permit is required to reduce the minimum number of car parking spaces as specified in this schedule.

A permit is not required under Clause 52.06-3.

3.029/03/2018
C157**Number of car parking spaces required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Dwelling (social housing)	0.6 spaces	to each dwelling for residents
Dwelling (private housing)	1 space	to each 1 or 2 bedroom dwelling for residents
	1.6 spaces	to each 3 bedroom dwelling for residents
Dwelling (all)	0.1 spaces	to each dwelling for visitors

Definition

For the purposes of this schedule ‘social housing’ has the same meaning as in Section 4(1) of the *Housing Act 1983*.

4.029/03/2018
C157**Application requirements and decision guidelines for permit applications**

None specified.

5.029/03/2018
C157**Financial contribution requirement**

None specified.

6.029/03/2018
C157**Requirements for a car parking plan**

None specified.

7.029/03/2018
C157**Design standards for car parking**

None specified.

8.029/03/2018
C157**Decision guidelines for car parking plans**

None specified.

9.0

04/02/2021
C1688bays

Background document

Traffic Engineering Assessment, DHHS Public Housing Renewal Program, New Street, Brighton
(July 2017)

45.12

04/05/2022
VC210

SPECIFIC CONTROLS OVERLAY

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

Purpose

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

45.12-1

31/07/2018
VC148

Use or development

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

45.12-2

31/07/2018
VC148

Expiry of a specific control

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

25/02/2020
C167bays

1.0
24/07/2025
GC244

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

Specific controls

PS Map Ref	Name of incorporated document
SCO1	Site Specific Control – 120-130 Bay Street, Brighton, City of Bayside, July 1991
SCO2	14-16 Fernhill Road Sandringham Incorporated Document, February 2024
SCO14	Suburban Rail Loop East Incorporated Document, August 2022
SCO15	Suburban Rail Loop East Infrastructure Protection, November 2024

PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.

PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA

51.01

31/07/2018
VC148

SPECIFIC SITES AND EXCLUSIONS

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

51.01-1

31/07/2018
VC148

Use or development

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

51.01-2

31/07/2018
VC148

Expiry of a specific control

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The 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.

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS**1.0**04/02/2021
C168bays**Specific sites and exclusions**

Address of land	Title of incorporated document
A.W. Oliver Reserve	<i>Temporary Advertising Signs on Recreation Reserves</i> (June 2004, revised July 2018)
Balcombe Park Reserve	
Banksia Reserve	
Basterfield Park Tennis Club	
Beaumaris Reserve	
Boss James Reserve	
Brighton Beach Oval	
Brighton Golf Course	
Brighton Recreation Centre	
Castlefield Reserve	
Cheltenham Golf Club	
Cheltenham Park	
Cheltenham Recreation Reserve	
Dendy Park	
Donald MacDonald Reserve	
Elsternwick Park Main Oval, Glen Huntly Road, Brighton	
Elsternwick Park	
G.L.Basterfield Park	
Hampton Bowling Club	
Highett Recreation Centre	
Highett Tennis Club	
Hurlingham Park	
Lyle Anderson Reserve	
Moorabbin West Oval	
Peterson Reserve	
R.G.Chisholm Reserve	
R.J.Sillitoe Reserve	
Sandringham Croquet Club	
Sandringham Family Leisure Centre	
Sandringham Golf Course	
Sandringham Golf Driving Range	
Shipston Reserve	
Highett Tennis Club	
Thomas Street Netball	

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Address of land	Title of incorporated document
Trevor Barker Beach Oval, Beach Road, Sandringham	
Trey Bit Reserve	
Tulip Street Reserve (including Spring Street Reserve and Destructor Reserve)	
Whyte Street Reserve	
Wilson Recreation Reserve	
William Street Reserve	
W.L.Simpson Reserve	
Yott Reserve (including Bodley Street Tennis Centre)	
Royal Avenue Reserve, Royal Avenue, Sandringham	
Sandringham Athletic Centre	
Land required for the Cheltenham Level Crossing Removal Project as shown on the project area maps in the incorporated document.	<i>Cheltenham Level Crossing Removal Project Incorporated Document (July 2017)</i>

PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

52.01

05/11/2020
VC191

COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

Purpose

To facilitate the rectification of combustible cladding on buildings.

52.01-1

05/11/2020
VC191

Permit exemption

Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*.
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act.

52.01-2

05/11/2020
VC191

Exemption from notice and review

An application to amend a permit to allow the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*; or
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act,

is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.02

04/02/2026
VC265

EASEMENTS, RESTRICTIONS AND RESERVES

Purpose

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the *Subdivision Act 1988* to create, vary or remove an easement or restriction, or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 24A of the *Subdivision Act 1988*.
- Under Section 36 of the *Subdivision Act 1988* to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the *Planning and Environment Act 1987*.
- If the person proceeds under Section 362A of the *Land Act 1958*.
- In the case of a person proceeding under Section 36 of the *Subdivision Act 1988*, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the *Subdivision Act 1988*.

In this clause, **restriction** has the same meaning as in the *Subdivision Act 1988*.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES**1.0****Under Section 23 of the Subdivision Act 1988**

Land	Easement or restriction	Requirement
90 South Road, Hampton	Covenant restricting development to one dwelling with specifications in relation to the minimum value of the dwelling and its materials.	Remove
71 Teddington Road, being the land contained in Certificate of Title Volume 4375 Folio 984	The covenant contained in Instrument of Transfer No 961100 which affects the whole of the land in Certificate of Title Volume 4375 Folio 984.	Remove
30 Hotham Street, Beaumaris	Covenant restricting development to one dwelling with specifications in relation to the minimum value of the dwelling. It also precludes quarrying and mining.	Remove
414 Beach Road, Beaumaris	Covenant restricting development to one dwelling with specifications in relation to materials. It also excludes several non-residential uses.	Remove
254 South Road, Hampton	Covenant restricting development to one dwelling with specifications in relation to minimum value. It also precludes quarrying and mining.	Remove
21 Sunlight Crescent, East Brighton, described as Lot 134 on Plan of Subdivision No 13375, being the whole of the land in Certificate of Title Volume 7190 Folio 1437925	The covenant contained in Instrument of Transfer No 1933390 in the Register Book.	Remove
12 Bourneville Avenue, East Brighton, described as Lot 119 on Plan of Subdivision No 13375, being the whole of the land contained in Certificate of Title Volume 6485 Folio 898	The covenant contained in Instrument of Transfer No 1974956 in the Register Book.	Remove
2 Hillcrest Avenue, Brighton, described as Lot 7 on Plan of Subdivision No 7332, being the whole of the land in Certificate of Title Volume 6467 Folio 1293358	The covenant contained in Instrument of Transfer No 858077 in the Register Book.	Remove
16 Heathfield Road, East Brighton, described as Lot 12 on Plan of Subdivision No 8081, being the whole of the land in Certificate of Title Volume 5321 Folio 1064153	The covenant contained in Instrument of Transfer No 1337489 in the Register Book.	Remove

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Land	Easement or restriction	Requirement
309 South Road, East Brighton, described as Lot 109 on Plan of Subdivision No 13375 being the whole of the land in Certificate of Title Volume 5508 Folio 1101540	The covenant contained in Instrument of Transfer No 1929150 in the Register Book.	Remove
Land east side of Reserve Road, between North Concourse and South Concourse, Beaumaris, described as 'Recreation Reserve' and 'Car Park Reserve' on Plan of Subdivision LP 40619, being part of the land in Certificate of Title Volume 8573 Folio 805	Easements for Car Park Reserve, Recreation Reserve and Drainage and Sewerage Purposes, created in Plan of Subdivision LP 40619 within the area shown as Reserve No. 1 and Reserve No. 2 on the proposed plan of subdivision PS 518554S.	Remove
	New easement in favour of South East Water Ltd over the area marked E-1 on the proposed plan of subdivision PS 518554S.	Create
43 Baird Street, East Brighton, described as Lot 103 on Plan of Subdivision No. 12183 being the whole of the land in Certificate of Title Volume 6836 Folio 1367176	The covenant contained in Instrument of Transfer No 1481801 in the Register Book.	Vary to allow use and development for a dual occupancy in accordance with town planning permit 96/2070.
23, 25 & 27 Victor Avenue, Cheltenham being land contained in Certificate of Titles which include Volume 5619 Folio 678 (Lot 16), Volume 9114 Folio 970 (Lot 17) and Volume 8817 Folio 051 (Lot 18 & part of Lot 19)	The Restriction contained in the Instruments of Transfer Nos: 1442610 and 1442611 in the Register Book.	Vary the existing restrictive covenants Nos. 1442611 and 1442610 detailed on Lots 16 and 17 respectively on Plan of Subdivision 9425 underlying part of the subject site but only insofar as they affect Lots 2 and 3 of Plan of Subdivision 407608Q to facilitate the erection of one dwelling on Lot 2 and one dwelling on Lot 3 in accordance with Planning Permit 96/2298 the intention being that covenants Nos. 1442610 and 1336607 affecting the land comprising Lot 1 of Plan of Subdivision 407608Q remain unvaried.
Land east side of Reserve Road, between Agnes Street and Moysey's Run, Beaumaris, described as 'Car	The restriction contained in Covenant 1480382	Vary the existing Covenant 1480382 to remove reference to 'for

BAYSIDE PLANNING SCHEME

Land	Easement or restriction	Requirement
Park Reserve' on Lot 1 on Certificate of Title 419754X, being part of the land in Certificate of Title Volume 08573 Folio 805		car park reserves and' on Lot 1 on Title Plan 419754X.

2.0

11/02/2010
C84

Under Section 24A of the Subdivision Act 1988

Land	Person	Action
Land east side of Reserve Road, between North Concourse and South Concourse, Beaumaris, described as 'Recreation Reserve' and 'Car Park Reserve' on Plan of Subdivision LP 40619, being part of the land in Certificate of Title Volume 8573 Folio 805	Bayside City Council	Remove the 'Recreation Reserve' and 'Car Park Reserve' from the parts of the land in Plan of Subdivision LP 40619 which are designated as Reserve No. 1 and Reserve No. 2 on the proposed plan of subdivision PS 518554S. Create a new Reserve No. 1 and a new Reserve No. 2 as shown on the proposed plan of subdivision PS 518554S.
Land east side of Reserve Road, between Agnes Street and Moysey's Run, Beaumaris, described as 'Car Park Reserve' on Lot 1 on Certificate of Title 419754X, being part of the land in Certificate of Title Volume 08573 Folio 805	Bayside City Council	Remove the 'Car Park Reserve'.

3.0

19/01/2006
VC37

Under Section 36 of the Subdivision Act 1988

Land	Easement or right of way	Requirement
412-416 Bay Street, Brighton, described as the land in Plan of Consolidation No 161548W, being the whole of the land in Certificate of Title Volume 9674 Folio 238	The easement created by Instrument of Transfer No 120023 in the Register Book.	Remove

52.0325/11/2025
VC298**STATE RAIL PROJECTS****Purpose**

To facilitate the delivery of projects carried out by or on behalf of VIDA Rail.

52.03-125/11/2025
VC298**Application**

This clause applies to the use and development of land (other than the subdivision of land) for projects carried out by or on behalf of VIDA Rail 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.

52.03-225/11/2025
VC298**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development carried out pursuant to Clause 52.03 if the requirements of Clause 52.03 are met.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.03-320/01/2022
VC205**Use and development requirements**

The use and development of land must be undertaken in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be undertaken to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of acquisition is for a road, must be undertaken to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be undertaken to the satisfaction of the relevant acquiring authority.

52.03-431/01/2020
VC170**Consultation requirement**

Prior to the commencement of the use or development:

- Public consultation, and consultation with the relevant municipal council, must be undertaken to the satisfaction of the Minister for Planning.
- A report that summarises the feedback provided during consultation and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

52.03-531/01/2020
VC170**Project boundary requirement**

Prior to the commencement of the use or development, a plan that shows the boundary of the land on which the use or development will be undertaken must be prepared to the satisfaction of the Minister for Planning.

52.03-604/05/2022
VC210**Other pre-commencement requirements**

The following requirements may be satisfied for separate components or stages of a project but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.

The following requirements may be varied or waived by the Minister for Planning.

Prior to the commencement of the use or development (other than a preparatory use or development), the following plans and documents must be prepared to the satisfaction of the Minister for Planning:

- An environmental management framework, prepared in consultation with each relevant municipal council, that includes:
 - A summary of key construction methodologies.
 - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
 - A summary of performance monitoring and reporting processes, including auditing, to ensure environmental and amenity effects are reduced and managed during construction.
 - A summary of how each relevant municipal council, the community and other stakeholders will be engaged during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the land is in the Heritage Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2:
 - A report that addresses the impact of that development on the heritage significance of the heritage place.
 - Site plans and elevations showing the extent of that development on the land.
 - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2, a report that addresses the impact of the development on any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

Prior to the commencement of the use of any new open space, an environmental assessment (or similar) that demonstrates that the environmental conditions of the land are suitable for that use must be undertaken to the satisfaction of the Minister for Planning.

52.03-704/02/2026
VC265**Native vegetation requirements**

In this clause:

- **Guidelines** means the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025);
- **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 Energy, Environment, and Climate Action, 2025).

52.03-8

31/01/2020
VC170

Preparatory use and development

For the purposes of Clause 52.03, a preparatory use or development is a use or development required to prepare for the construction of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.03-2.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, and overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be undertaken in compliance with:
 - a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
 - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.

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- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of Clause 52.03, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
 - Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.
-

52.0414/12/2023
VC253**TRANSITIONAL PROVISIONS FOR A DEPENDENT PERSONS UNIT****52.04-1**28/03/2024
VC259**Purpose**

To provide transitional provisions for the use or development of land for a dependent person's unit.

52.04-228/03/2024
VC259**Application**

This clause applies to the use and development of land for a dependent person's unit.

For the purposes of clause 52.04 and any reference to a dependent person's unit in this planning scheme, a dependent person's unit means:

A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.

52.04-328/03/2024
VC259**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit for the use of land or the construction or carrying out of buildings and works, or any provision of this planning scheme that prohibits the use of land or the construction or carrying out of buildings and works, requires the use of land or the construction or carrying out of buildings and works to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a dependent person's unit, if the requirements of clause 52.04 are met.

The requirements of clause 52.04 are met if any of the following apply:

- No permit is required under this clause, and any requirement or condition of this clause is met.
- A permit is required under this clause, and a permit has been issued.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.04-403/03/2025
VC266**Operation of use of land requirements**

The following requirements apply to the use of land for a dependent person's unit, as specified in clause 52.04-5.

Table 1 zones

The use of land for a dependent person's unit in a zone listed in Table 1 does not require a permit. Any condition opposite the zone listed in Table 1 must be met. If the condition is not met, the use of land for a dependent person's unit requires a permit under this clause unless the zone is specifically included in Table 3 as a zone that does not meet the Table 1 condition.

Table 2 zones

The use of land for a dependent person's unit in a zone listed in Table 2 requires a permit under this clause. Any condition opposite the zone must be met. If the condition is not met, the use of land for a dependent person's unit is prohibited.

Table 3 zones

The use of land for a dependent person's unit in a zone listed in Table 3 is prohibited.

52.04-525/02/2025
VC257**Use of land requirements****Table 1 - Permit not required**

Zone	Condition
Low Density Residential Zone	Must be the only dependent person's unit on the lot.
Township Zone	Must meet the requirements of clause 52.04-7.
Mixed Use Zone	Must be the only dependent person's unit on the lot.
Residential Growth Zone	
General Residential Zone	
Neighbourhood Residential Zone	
Housing Choice and Transport Zone	
Rural Living Zone	Must be the only dependent person's unit on the lot.
Rural Activity Zone	Must meet the requirements of clause 52.04-8. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Farming Zone	Must be the only dependent person's unit on the lot. Must meet the requirements of clause 52.04-8. Must be located more than one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Commercial 1 Zone	Any frontage at ground floor level must not exceed 2 metres
Public Use Zone	The use must be for the purpose described in the table to clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.
Public Park and Recreation Zone	Must be either of the following:

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Zone	Condition
	- A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 2020</i>, the <i>Reference Areas Act 1978</i>, the <i>National Parks Act 1975</i>, the <i>Fisheries Act 1995</i>, the <i>Wildlife Act 1975</i>, the <i>Forest Act 1958</i>, the <i>Water Industry Act 1994</i>, the <i>Water Act 1989</i>, the <i>Marine Safety Act 2010</i>, the <i>Port Management Act 1995</i>, or the <i>Crown Land (Reserves) Act 1978</i>. - A use specified in an Incorporated plan in a schedule to clause 36.02.
Public Conservation and Resource Zone	Must be a use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the <i>Local Government Act 2020</i> , the <i>Reference Areas Act 1978</i> , the <i>National Parks Act 1975</i> , the <i>Fisheries Act 1995</i> , the <i>Wildlife Act 1975</i> , the <i>Forests Act 1958</i> , the <i>Water Industry Act 1994</i> , the <i>Water Act 1989</i> , the <i>Marine Safety Act 2010</i> , the <i>Port Management Act 1995</i> or the <i>Crown Land (Reserves) Act 1978</i> .
Urban Growth Zone	Must be the only dependent person's unit on the lot. Must meet the requirements of clause 52.04-8.

Table 2 - Permit required

Zone	Condition
Low Density Residential Zone	Must meet the requirements of clause 52.04-7.
Township Zone	
Green Wedge Zone	Must be the only dependent person's unit on the lot.
Green Wedge A Zone	Must meet the requirements of clause 52.04-8.
Rural Conservation Zone	
Rural Living Zone	Must meet the requirements of clause 52.04-8.
Farming Zone	
Rural Activity Zone	
Transport Zone	The use must be for a transport purpose and carried out by or on behalf of a relevant transport manager.
Urban Growth Zone	Must meet the requirements of clause 52.04-8.

Table 3 - Prohibited

Zone
Industrial 1 Zone
Industrial 2 Zone
Industrial 3 Zone
Commercial 2 Zone
Commercial 3 Zone
Port Zone
Public Conservation and Resource Zone – If the table 1 condition is not met
Urban Floodway Zone

52.04-628/02/2025
VC274**Use of land requirements in a specified special purpose zone**

If land is in a Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct Zone, the permit requirement in that zone for use of land applies as specified in the schedule to the zone.

If dependent person's unit is not specified in a schedule to the zone, the use of land for a dependent person's unit is subject to the use of land requirements for 'Accommodation'.

52.04-728/03/2024
VC259**Use of land requirements in a Low Density Residential Zone and a Township Zone**

A lot used for a dependent person's unit in a Low Density Residential Zone and a Township Zone must meet the following requirements:

- Each dependent person's unit must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dependent person's unit must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- Each dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity.
- Each dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy supply.

52.04-828/03/2024
VC259**Use of land requirements in a rural zone and an Urban Growth Zone**

A lot used for a dependent person's unit in a Rural Living Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Farming Zone, Rural Activity Zone and Urban Growth Zone must meet the following requirements:

- Access to the dependent person's unit must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dependent person's unit must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.

- The dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.

52.04-9

28/03/2024
VC259

Use of land requirements in an Airport Environs Overlay and Melbourne Airport Environs Overlay

A permit is required under this clause to use land in an Airport Environs Overlay or a Melbourne Airport Environs Overlay for a dependent person's unit.

Land in an Airport Environs Overlay or a Melbourne Airport Environs Overlay must not be used for:

- More than one dependent person's unit.
- A dependent person's unit if there is an existing small second dwelling on the lot.
- A dependent person's unit if the size of the lot is less than 600 square metres.

52.04-10

03/03/2025
VC266

Buildings and works requirements in a specified overlay

A permit is required under the following overlays to construct a building or construct or carry out works for a dependent person's unit:

- Erosion Management Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Floodway Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Land Subject to Inundation Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Special Building Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Bushfire Management Overlay. This does not apply to any of the following:
 - If a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
 - An alteration or extension to an existing building used for a dependent person's unit that is less than 50 percent of the gross floor area of the existing building.

An application under a Bushfire Management Overlay must meet the requirements of clause 53.02-4, unless the application meets all of the requirements specified in a schedule to clause 44.06.

Any other requirement for a dependent person's unit specified in a schedule to an overlay applies.

52.04-11

28/03/2024
VC259

Decision guidelines

Before deciding on an application for a permit under clauses 52.04-5, 52.04-6, 52.04-9 or 52.04-10 the responsible authority must consider the decision guidelines of clause 65, including the decision guidelines of the zone or overlay, as appropriate.

52.04-12

23/03/2026
VC304

Expiry

Clauses 52.04-1 to 52.04-11 inclusive do not have effect after 28 March 2027.

52.04-1323/03/2026
VC304**Transitional provisions****VC253**

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.

VC259

Despite clause 52.04-12, the requirements of clause 52.04 of the planning scheme 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 after the approval date of VC259 and before 28 March 2027.
 - Where a planning permit was not required for the use or development of land (other than subdivision) for a dependent person's unit after the approval date of VC259 and before 28 March 2027, 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 after the approval date of VC259 and before 28 March 2027.
 - 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 after the approval date of VC259 and before 28 March 2027, and a building permit is issued by 28 June 2027.
-

52.0531/07/2018
VC148**SIGNS****Purpose**

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

52.05-131/07/2018
VC148**Application**

This clause applies to the development of land for signs.

52.05-228/02/2025
VC274**Requirements****Sign categories**

Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1

A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

Section 2

A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3

A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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

Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct Zone if:

- The sign is not within 30 metres of land (not a road) which is in a residential zone.

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

- The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.
- The display area of the sign does not exceed 10 square metres.

52.05-331/07/2018
VC148**Referral of applications**

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

52.05-427/10/2025
VC294**Expiry of permits**

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.

52.05-531/07/2018
VC148**Existing signs**

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

52.05-620/01/2022
VC205**Application requirements**

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

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
 - The location of the proposed sign on the site or building and distance from property boundaries.
 - The location and size of existing signage on the site including details of any signs to be retained or removed.

- The location and form of existing signage on abutting properties and in the locality.
- The location of closest traffic control signs.
- Identification of any view lines or vistas that could be affected by the proposed sign.

Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
 - A description of the existing character of the area including built form and landscapes.
 - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
 - Any existing identifiable advertising theme in the area.
 - Photo montages or a streetscape perspective of the proposed sign.
 - Level of illumination including:
 - Lux levels for any sign on or within 60 metres of a Transport Zone 2, Transport Zone 3, a residential zone or public land zone.
 - The dwell and change time for any non-static images.
 - The relationship to any significant or prominent views and vistas.

52.05-7

31/07/2018
VC148

Exemption from notice and review

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

52.05-8

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
 - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
 - The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
 - The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
 - The consistency with any identifiable outdoor advertising theme in the area.
 - Impacts on views and vistas:
 - The potential to obscure or compromise important views from the public realm.
 - The potential to dominate the skyline.
 - The potential to impact on the quality of significant public views.
 - The potential to impede views to existing signs.
 - The relationship to the streetscape, setting or landscape:
 - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
 - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
 - The ability to screen unsightly built or other elements.
 - The ability to reduce the number of signs by rationalising or simplifying signs.
 - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
 - The relationship to the site and building:
 - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
 - The extent to which the sign displays innovation relative to the host site and host building.
 - The extent to which the sign requires the removal of vegetation or includes new landscaping.
 - The impact of structures associated with the sign:
 - The extent to which associated structures integrate with the sign.
 - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.
 - The impact of any illumination:
 - The impact of glare and illumination on the safety of pedestrians and vehicles.
 - The impact of illumination on the amenity of nearby residents and the amenity of the area.
 - The potential to control illumination temporally or in terms of intensity.
 - The impact of any logo box associated with the sign:
 - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
-

BAYSIDE PLANNING SCHEME

- 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

31/07/2018
VC148

Mandatory conditions

All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
 - Dazzle or distract drivers due to its colouring.
 - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
 - Be able to be mistaken as an instruction to drivers.
- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

52.05-10

27/10/2025
VC294

Signs not requiring a permit

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
 - A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
 - A sign at a hospital that gives direction to emergency facilities.
 - A sign 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.
-

BAYSIDE PLANNING SCHEME

- 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.
-

BAYSIDE PLANNING SCHEME

- 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

03/02/2022
VC199

Category 1 - Commercial areas

Minimum limitation

Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign Business identification sign Home based business sign Promotion sign	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Direction sign	None specified
Internally illuminated sign	The total display area to each premises must not exceed 1.5 sqm. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

Sign	Condition
Any sign not in Section 1	None specified

Section 3 - Prohibited**Sign**

Nil

52.05-1227/10/2025
VC294**Category 2 - Office and industrial**

Low limitation

Purpose

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign Business identification sign Home based business sign Pole sign	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.
Direction sign	Only one to each premises.
Internally illuminated sign	The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.
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

52.05-1303/02/2022
VC199**Category 3 - High amenity areas**

Medium limitation

Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

BAYSIDE PLANNING SCHEME

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Above-verandah sign	None specified
Business identification sign	
Electronic sign	The display area must not exceed 3 sqm.
Floodlit sign	None specified
High-wall sign	Must be a business logo or street number.
Internally illuminated sign	None specified
Pole sign	
Promotion sign	The display area must not exceed 3 sqm.
Reflective sign	None specified

Section 3 - Prohibited

Sign
Any sign not in Sections 1 or 2

52.05-14

17/10/2023
VC241

Category 4 - Sensitive areas

Maximum limitation

Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

BAYSIDE PLANNING SCHEME

Section 2 - Permit required

Sign	Condition
Business identification sign	The total display area to each premises must not exceed 3 sqm. This does not apply to a Business identification sign on land used for a Freeway service centre or Service station.
Floodlit sign	Must not be a Promotion sign on land used for an Open sports ground.
Above-verandah sign	Must be on land used for a Freeway service centre or Service station.
High-wall sign	
Internally illuminated sign	
Pole sign	
Electronic sign	Must be on land used for a Freeway service centre or Service station. The display area must not exceed 3 sqm.
Promotion sign	Must be on land used for a Freeway service centre, Service station or Open sports ground. Must promote goods, services, events or matters provided, undertaken or sold on land used for a Freeway service centre or Service station.

Section 3 - Prohibited

Sign
Any sign not in Sections 1 or 2

04/02/2021
C168bays

SCHEDULE TO CLAUSE 52.05 SIGNS

1.0

04/02/2021
C168bays

Exemption from notice and review

Land	Conditions
None specified	

52.06

31/07/2018
VC148

CAR PARKING

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.06-1

18/12/2025
VC277

Application

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 specified in Table 1 to clause 52.06-5 by the corresponding measure specified in Table 1 to clause 52.06-5.

This clause 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

18/12/2025
VC277

Provision of car parking spaces

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use specified in Table 1 to clause 52.06-5 is increased by the corresponding measure specified in Table 1 to clause 52.06-5,

the minimum number of car parking spaces required under clause 52.06-5 or in a schedule to the Parking Overlay for a use 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 Table 1 to clause 52.06-5, or a schedule to the Parking Overlay, specifies a maximum car parking requirement, the maximum requirement must not be exceeded except in accordance with a permit issued under clause 52.06-3.

52.06-318/12/2025
VC277**Permit requirement**

A permit is required to:

- Reduce (including reduce to zero) the minimum 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 requirement specified in clause 52.06-5 or 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 minimum number of car parking spaces required for a new use 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.

A permit is not required to provide more car parking spaces than the maximum car parking requirement in clause 52.06-5 if the existing number of car parking spaces on the land exceeds the maximum car parking requirement and no new additional car parking spaces will be provided.

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.

52.06-431/07/2018
VC148**Exemption from notice and review**

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or
- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

52.06-518/12/2025
VC277**Car parking requirement calculation**

Table 1 of this clause sets out the minimum and maximum car parking requirements that apply to a use specified in the table based on the land category identified in the *Car Parking Requirement Maps* (Department of Transport and Planning, 2025) (CPR maps).

If the land is shown in two or more categories on the CPR maps, the car parking requirements for the higher category applies to all of the land.

A car parking requirement in Table 1 is 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.

If a measure refers to a number of people, it means the maximum number of people permitted on the site at any one time.

The car parking requirement for a use specified in Table 1 is calculated by multiplying the corresponding number specified in Category 1, 2, 3 or 4 (as applicable) by the corresponding measure. If the measure is specified as a per cent of the site area, the corresponding number specified in Category 1, 2, 3 or 4 is the per cent of the site area to be set aside for car parking.

Where an existing use specified in Table 1 is increased by the corresponding measure, 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 specified 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

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Amusement parlour	To each 100 square metres of net floor area	4	2	0 - minimum 2 - maximum	1
Art and craft centre	To each 100 square metres of net floor area	4	2	0 - minimum 2 - maximum	1

BAYSIDE PLANNING SCHEME

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Betting agency	To each 100 square metres of net floor area	4	2	0 - minimum 2 - maximum	1
Bowling green	To each rink	6	3	0 - minimum 3 - maximum	1.5
Child care centre	To each employee	1	0.5	0.25 - minimum No maximum	No maximum
Convenience restaurant	To each patron	0.3	0.15	0 - minimum 0.15 - maximum	0.08
Display home centre	To each dwelling	5	2.5	0 - minimum 2.5 - maximum	1.25
Dwelling	To each dwelling	1.2	1	0 - minimum 2 - maximum	2
Education centre - other than specified in this table	To each student	0.4	0.05	0 - minimum 0.1 - maximum	0.05
Food and drink premises - other than specified in this table	To each 100 square metres of net floor area	4	2	0 - minimum 2 - maximum	1
Freezing and cool storage	To each 100 square metres of net floor area	1.5	0.2	0 - minimum 0.4 - maximum	0.2
Fuel depot	Per cent of site area	10	5	5 - minimum 10 - maximum	5
Funeral parlour	To each patron	0.3	0.15	0 - minimum 0.15 - maximum	0.08
Gambling premises - other than specified in this table	To each 100 square metres of net floor area	4	2	0 - minimum 2 - maximum	1
Golf course	To each hole	4	2	0 - minimum 2 - maximum	1

BAYSIDE PLANNING SCHEME

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Home based business	To each employee not a resident of the dwelling	1	0	0 - minimum No maximum	No maximum
Industry - other than specified in this table	To each 100 square metres of leasable floor area	2.9	0.4	0 - minimum 0.8 - maximum	0.8
Landscape gardening supplies	Per cent of site area	10	5	5 - minimum 10 - maximum	5
Mail centre	To each 100 square metres of net floor area	3.5	0.45	0 - minimum 0.9 - maximum	0.45
Manufacturing sales	To each 100 square metres of leasable floor area	4	2	0 - minimum 2 - maximum	1
Market	To each 100 square metres of site area	8	4	5 - minimum 6 - maximum	6
Materials recycling	Per cent of site area	10	5	5 - min 10 - max	5
Medical centre	To each 100 square metres of leasable floor area	5	3.5	0 - minimum 5 - maximum	5
Milk depot	Per cent of site area	10	5	5 - minimum 10 - maximum	5
Motel	To each bedroom	1	1	0 - minimum 0.5 - maximum	0.2
Office - other than specified in this table	To each 100 square metres of net floor area	3.5	0.45	0 - minimum 0.9 - maximum	0.45
Place of assembly - other than specified in this table	To each patron	0.3	0.15	0 - minimum 0.15 - maximum	0.08

BAYSIDE PLANNING SCHEME

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Postal agency	To each 100 square metres of net floor area	4	2	0 - minimum 2 - maximum	1
Primary produce sales	To each 100 square metres of net floor area	4	2	0 - minimum 2 - maximum	1
Primary school	To each employee	1	0.5	0.25 - minimum No maximum	No maximum
Research and development centre	To each 100 square metres of net floor area	3.5	0.45	0 - minimum 0.9 - maximum	0.45
Residential aged care facility	To each bedroom	0.3	0.25	0.25 - minimum 0.45 - maximum	0.45
Residential village	To each dwelling	1.2	1	0 - minimum 2 - maximum	2
Retirement village	To each dwelling	1.2	1	0 - minimum 2 - maximum	2
Restricted retail premises	To each 100 square metres of leasable floor area	3	1.5	1.5 - minimum 2 - maximum	2
Rooming house	To each bedroom	0.25	0.25	0 - minimum 0.15 - maximum	0.1
Saleyard	Per cent of site area	10	5	5 - minimum 10 - maximum	5
Secondary school	To each employee	1	0.5	0.25 - minimum No maximum	No maximum
Shop - other than specified in this table	To each 100 square metres of leasable floor area	4	2	0 - minimum 2 - maximum	1

BAYSIDE PLANNING SCHEME

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Squash court other than in conjunction with a dwelling	To each court	4	2	0 - minimum 2 - maximum	1
Store - other than specified in this table	Per cent of site area	10	5	5 - minimum 10 - maximum	5
Supermarket	To each 100 square metres of leasable floor area	5	2.5	0 - minimum 2.5 - maximum	1.25
Swimming pool - other than in conjunction with a dwelling	To each 100 square metres of site area	5.6	2.8	0 - minimum 2.8 - maximum	2.1
Tennis court - other than in conjunction with a dwelling	To each court	4	2	0 - minimum 2 - maximum	1
Trade supplies	Per cent of site area	10	5	5 - minimum 10 - maximum	10
Veterinary centre	To each 100 square metres of leasable floor area	5	3.5	0 - minimum 5 - maximum	5
Warehouse - other than specified in this table	To each 100 square metres of net floor area	2	0.25	0 - minimum 0.5 - maximum	0.5
Winery	To each patron	0.4	0.2	0 - minimum 0.2 - maximum	0.1

52.06-6

16/01/2018
VC142

Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

52.06-7

18/12/2025
VC277

Application requirements and decision guidelines for permit applications

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

BAYSIDE PLANNING SCHEME

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 Table 1 to 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.
-

BAYSIDE PLANNING SCHEME

- 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 car parking provision

An application to provide more than the maximum parking provision specified in clause 52.06-5 or 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.

Before granting a permit to provide more than the maximum car parking spaces specified under clause 52.06-5 or in a schedule to the Parking Overlay, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
 - Any relevant local planning policy or incorporated plan.
 - Whether additional car parking is required for disability parking.
 - 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.
-

- Local traffic management in the locality of the land.
- The impact of additional 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 modes of transport to and from the land.
- The character of the surrounding area and whether increasing 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.

52.06-8

18/12/2025
VC277

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Table 1 to 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

18/12/2025
VC277

Design standards for car parking

Plans prepared in accordance with clause 52.06-8 must meet the design standards of clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
 - Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
 - Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
-

BAYSIDE PLANNING SCHEME

- 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
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

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

18/12/2025
VC277

Decision guidelines

Before deciding that a plan prepared under clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
 - The ease and safety with which vehicles access and circulate within the parking area.
 - The provision for pedestrian movement within and around the parking area.
 - The provision of parking facilities for cyclists and disabled people.
 - The protection and enhancement of the streetscape.
 - The provisions of landscaping for screening and shade.
 - The measures proposed to enhance the security of people using the parking area particularly at night.
-

- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

52.06-11

18/12/2025
VC277

Construction of car parking

Where a plan is required under clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- 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 Table 1 to clause 52.06-5 for that use.

52.06-12

18/12/2025
VC277

Transitional provisions

Meaning of terms

In clause 52.06-12:

- **current clause** means clause 52.06-5 as currently in force;
 - **former clause** means clause 52.06-5 as in force immediately before the day Amendment VC277 came into operation;
 - **transition date** means the day that is 180 days after the day Amendment VC277 came into operation;
 - **transitional proposal** means:
 - an application to use or develop land made before the transition date; or
 - an application to use or develop land amended under section 50, 50A or 57A of the Act if the original application was made before the transition date; or
 - an application under clause 52.06 made before the transition date; or
-

BAYSIDE PLANNING SCHEME

- an application under clause 52.06 amended under section 50, 50A or 57A of the Act if the original application was made before the transition date; or
- a plan provided to the responsible authority under clause 52.06-8 before the transition date; or
- a use for which parking is provided in accordance with a plan approved under clause 52.06-8 if the plan was provided to the responsible authority before the transition date; or
- a new use commenced before the transition date; or
- an increase in the floor area or site area of an existing use before the transition date; or
- an increase to an existing use specified in Table 1 to the current clause by the corresponding measure specified in Table 1 to the current clause before the transition date.

Transitional provision A

A reference to 'clause 52.06-5' in the current clause is taken to be a reference to 'clause 52.06-5' in the former clause in respect of a transition proposal (except in relation to a maximum car parking requirement) if both of the following apply:

- The transition proposal is for a use specified in Table 1 to the current clause.
- The number of car parking spaces that would be required for the transition proposal under the former clause is less than the minimum number of car parking spaces required under the current clause.

Transitional provision B

The maximum car parking requirement in clause 52.06-2 (other than a maximum parking requirement specified in a schedule to a Parking Overlay) does not apply to, and a permit is not required under clause 52.06-3 to provide more than the maximum parking provision specified in clause 52.06-5 in respect of, the following:

- An application to use or develop land made before the day Amendment VC277 came into operation.
- An application to use or develop land amended under section 50, 50A or 57A of the Act if the original application was made before the day Amendment VC277 came into operation.
- An application under clause 52.06 made before the day Amendment VC277 came into operation.
- An application under clause 52.06 amended under section 50, 50A or 57A of the Act if the original application was made before the day Amendment VC277 came into operation.
- A plan provided to the responsible authority under clause 52.06-8 before the day Amendment VC277 came into operation.
- Car parking provided in accordance with a plan approved under clause 52.06-8 if the plan was provided to the responsible authority before the day Amendment VC277 came into operation.

Transitional provision C

Any reference in a schedule to the Parking Overlay to 'clause 52.06-5' is taken to be a reference to the former clause unless the schedule to the Parking Overlay specifies this transitional provision does not apply.

52.07

22/11/2022
VC228

EMERGENCY RECOVERY

Purpose

To facilitate and support recovery from emergencies.

To facilitate the construction and use of temporary accommodation following an emergency.

To enable businesses and services to continue operating following an emergency.

To support the provision of materials and infrastructure required for emergency recovery.

52.07-1

04/11/2022
VC226

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following uses or developments if the requirements of clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
 - Associated with recovery carried out by or on behalf of a municipal council or public authority; or
 - For accommodation; or
 - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by an emergency.

- The removal, destruction or lopping of vegetation.

This exemption does not apply to:

- The requirement in clause 45.03-1.
- The use or development of land to which clause 52.14 applies.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.07-2

04/11/2022
VC226

Information to responsible authority

The following requirement does not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Before the commencement of a use or the construction of a building under clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
 - Stating the address of the land; or
 - Stating the title particulars of the land; or
 - Including a plan showing the land; or
 - Any combination of these.

52.07-304/11/2022
VC226**Temporary accommodation requirements**

The following requirements do not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The accommodation must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the accommodation must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system or treated and disposed of to the satisfaction of the responsible authority.
- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.
- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

52.07-404/11/2022
VC226**Continuation of use requirements**

The following requirements do not apply to the use or development of land:

- For accommodation; or
- Associated with recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by an emergency must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by an emergency, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by an emergency.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

52.07-5

04/11/2022
VC226

Vegetation removal requirement

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:

- To enable the removal of a building, equipment or other material that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed; or
- To enable the repair or reconstruction of a fence that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

52.07-6

04/11/2022
VC226

Other development requirements

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be carried out to the satisfaction of the responsible authority.

Development of land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.

52.07-7

06/10/2023
VC247

Exemptions for extractive industry

Any requirement of a planning permit, including any condition, or any provision of this planning scheme, that limits, or has the effect of limiting, the hours or days during which an extractive industry may be carried out, does not apply to the quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials if:

- The materials are directly associated with recovery; and
- The quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials occurs within 24 months of an emergency.

52.07-8

22/11/2022
VC228

Meaning of terms

In this clause:

- **emergency** means:
 - a bushfire; or
 - an earthquake, flood, wind-storm or other natural event;
- **recovery** means the assisting of persons and communities affected by emergencies to achieve a proper and effective level of functioning.

52.0824/01/2020
VC160**EARTH AND ENERGY RESOURCES INDUSTRY****Purpose**

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

52.08-124/01/2020
VC160**Permit requirement**

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:	
Extractive industry	Complies with Section 77T of the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Geothermal energy exploration	Complies with the <i>Geothermal Energy Resources Act 2005</i> .
Geothermal energy extraction	Complies with Section 62 of the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration exploration	Complies with Section 189 of the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Greenhouse gas sequestration	Complies with Section 191 of the <i>Geological Sequestration Act 2008</i> .
Mineral exploration	Complies with Section 43(3) of the <i>Mineral Resources (Sustainable Development) Act 1990</i> .
Mining	Complies with Section 42(7) or Section 42A <i>Mineral Resources (Sustainable Development) Act 1990</i> ; or Complies with Section 47A of the <i>Electricity Industry Act 1993</i> .
Petroleum exploration	Complies with Section 118 of the <i>Petroleum Act 1998</i> .
Petroleum production	Complies with Section 120 of the <i>Petroleum Act 1998</i> .
Stone exploration	Must not be costeaning or bulk sampling.

52.08-224/01/2020
VC160**Application requirements for mining**

An application to use and develop land for mining must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990*.
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990*.
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990*.

52.08-3

14/05/2021
VC198

Referral requirements for mining

An application to use or develop land for mining must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.0924/01/2020
VC160**EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS****Purpose**

To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

52.09-124/01/2020
VC160**Application**

This clause applies to an application to use or develop land:

- For extractive industry;
- Within an Extractive Industry Interest Area; or
- Within 500 metres of an existing or proposed extractive industry operation.

52.09-224/01/2020
VC160**Application requirements**

An application to use and develop land for extractive industry must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990*.
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990*.
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990*.

These requirements do not apply if the proposed extractive industry is exempt from:

- The requirement to obtain a work plan under section 77G of the *Mineral Resources (Sustainable Development) Act 1990*; or
- The provisions of the *Mineral Resources (Sustainable Development) Act 1990* under section 5AA of that Act.

52.09-322/03/2022
VC219**Referral of applications**

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66, if the application is to use or develop land for:

- Extractive industry; or
- Accommodation in a rural zone is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-424/01/2020
VC160**Decision guidelines**

Before deciding on an application to use and develop land for extractive industry, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

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- The effect of the proposed extractive industry on any native flora and fauna on and near the land.
- The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.
- The impact of the proposed extractive industry on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-5

24/01/2020
VC160

Permit conditions for extractive industry

A permit to use and develop land for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit to use and develop land for extractive industry must include:

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.
- Conditions that are consistent with the requirements specified in Clause 52.09-6.

52.09-6

24/01/2020
VC160

Requirements for extractive industry

The use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.
- Shrubs and trees must be planted and maintained to screen activity on the land.
- Parking areas must be provided for employees' cars and all vehicles used on the land.

52.09-7

22/03/2022
VC219

Notice of an application

Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the person or body specified as the person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital:
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BAYSIDE PLANNING SCHEME

- 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

05/10/2021
VC208

RECONSTRUCTION AFTER AN EMERGENCY

Purpose

To facilitate the reconstruction of buildings and works damaged or destroyed as a result of an emergency.

To facilitate the re-establishment of businesses and services after an emergency.

To facilitate the continued use of land for dwellings after an emergency.

52.10-1

18/12/2024
VC272

Use exemptions - dwelling

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use of land, requires the use of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use of land (other than land in the Urban Floodway Zone) for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- The use must commence within 7 years after the date the dwelling was damaged or destroyed.
- The dwelling must not be a building that was constructed under clause 52.07.
- The land must not be used for more than the number of dwellings the land was lawfully used for before the dwelling was damaged or destroyed.
- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

52.10-2

18/12/2024
VC272

Exemption from notice and review

An application under any provision of this planning scheme to use or develop land (other than the subdivision of land) is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- A building or works on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- A use must be a use that was lawfully carried out on the land immediately before the building or works was damaged or destroyed and cannot continue without the building or works being reconstructed.
- A development must be for:
 - The repair of the damaged or destroyed building or works; or
 - The construction of a building, or the construction or carrying out of works, to replace the damaged or destroyed building or works.

BAYSIDE PLANNING SCHEME

- The application must be lodged within 7 years of the date the building was damaged or destroyed.
- If the application is to use or develop land for a dwelling:
 - A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
 - The application must only be for the number of dwellings that were damaged or destroyed.

52.10-3

05/10/2021
VC208

Meaning of terms

In this clause, *emergency* means:

- a bushfire; or
- an earthquake, flood, wind-storm or other natural event.

52.10-4

05/10/2021
VC208

Transitional provision

Clause 52.10-2 of this planning scheme, as in force immediately before the approval date of Amendment VC208, continues to apply to an application lodged before that date for land on which a building was damaged or destroyed by a bushfire after 1 January 2019.

52.1131/07/2018
VC148**HOME BASED BUSINESS****Purpose**

To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

52.11-115/03/2024
VC256**Requirements to be met**

A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. This does not apply to the education or care of children. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
 - The appearance of any building, works or materials used.
 - The parking of motor vehicles.
 - The transporting of materials or goods to or from the dwelling.
 - The hours of operation.
 - Electrical interference.
 - The storage of chemicals, gasses or other hazardous materials.
 - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle associated with a home business not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

In this clause, a **commercial vehicle** means:

- any motor vehicle which is used or intended to be used for carrying goods in the course of any business; or
 - a commercial motor vehicle within the meaning of the Road Safety Act 1986.
-

52.11-2

15/03/2024
VC256

Permit requirement

Despite the requirements of Clause 52.11-1, a permit may be granted for a home based business:

- Which allows no more than three people who do not live in the dwelling to work in the business at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
- Which allows no more than one additional commercial vehicle, not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
 - The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
 - Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
 - Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
-

52.1205/08/2020
VC176**BUSHFIRE PROTECTION EXEMPTIONS****Purpose**

To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.

To facilitate the construction and protection of community fire refuges and private bushfire shelters.

52.12-105/08/2020
VC176**Exemptions to create defensible space around buildings used for accommodation**

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to any of the following:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:
 - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
 - The building must have been:
 - constructed before 10 September 2009; or
 - approved by a planning permit or a building permit issued before 10 September 2009; or
 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:
 - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
 - The building must have been:
 - constructed before 10 September 2009; or
 - approved by a planning permit or a building permit issued before 10 September 2009; or
 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation if all of the following requirements are met:
 - The building must be located in the Bushfire Management Overlay.
 - The building must have been:
 - constructed before 10 September 2009; or
 - lawfully constructed without a planning permit before 18 November 2011; or
 - approved by a planning permit or a building permit issued before 10 September 2009 and constructed before 18 November 2011; or
 - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

52.12-2

05/08/2020
VC176

Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership if all of the following requirements are met:

- The fence must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
- The fence must have been constructed before 10 September 2009.
- The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.

52.12-3

05/08/2020
VC176

Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 October 2015) of the *Project Development and Construction Management Act 1994*.

52.12-4

05/08/2020
VC176

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

52.12-5

25/02/2025
VC257

Exemption to create defensible space for a dwelling under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to enable the construction of a dwelling, or the alteration or extension of an existing dwelling, and create its defensible 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

BAYSIDE PLANNING SCHEME

- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.

Note: The effect of clause 52.12-5 is that if an application for building and works is made and all requirements of the clause are met, that application is not required to be accompanied by a permit application to remove the vegetation covered by this clause.

52.13

14/11/2022
VC227

VICTORIA'S CONTAINER DEPOSIT SCHEME

52.13-1

26/09/2023
VC246

Purpose

To facilitate an automated collection point and a container deposit scheme centre to support waste reduction and recycling under Victoria's container deposit scheme.

To ensure an automated collection point and a container deposit scheme centre are designed and sited to minimise impacts on the land and surrounding land uses.

52.13-2

26/09/2023
VC246

Application

This clause applies to the use or development of an automated collection point and a container deposit scheme centre.

52.13-3

26/09/2023
VC246

Automated collection point requirements

An automated collection point should not:

- Be attached to another building.
- Be more than 3 metres in height. This includes an attached sign.
- Restrict a vehicular or pedestrian accessway to or from the land or an entry or exit to a building.

52.13-4

26/09/2023
VC246

Container deposit scheme centre requirements

A container deposit scheme centre should collect, consolidate, store, sort or recover materials in a fully enclosed and roofed building.

In an industrial zone, Commercial 2 Zone or Port Zone, a container deposit scheme centre should be at least 30 metres from land (not a road):

- In a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Used for, or in a Public Acquisition Overlay to be acquired for, a hospital, an education centre or a corrective institution.

In any other zone, a container deposit scheme centre should:

- Be at least 60 metres from land (not a road):
 - Used for accommodation, child care centre, pre-school centre, primary school, secondary school, education centre, informal outdoor recreation, hospital or a corrective institution.
 - To be acquired for a hospital, an education centre or a corrective institution.
- Not operate machinery to collect, consolidate, store, sort or recover materials between 5pm and 8am the following day.
- Not have more than 4 vehicle movements by the operator collecting or delivering materials to the container deposit scheme centre between 5pm and 8am the following day.

52.13-5

26/09/2023
VC246

Permit exemption for an automated collection point

Any requirement in a zone or overlay, or a schedule to a zone or overlay, to obtain a permit to construct a building or construct or carry out works does not apply to an automated collection point if the requirements of clause 52.13-3 and clause 52.13-6 are met.

This exemption does not apply to a requirement in any of the following overlays if an application for one or more automated collection points has a combined gross floor area of 2 square metres or more, and a building height of 2.5 metres or more:

Other than for a maximum of two automated collection points that are no greater than 2 square metres in total area and less than 2.5 metres in height, this exemption does not apply to a requirement in a:

- Bushfire Management Overlay if the automated collection point is located less than 10 meters from a building used for accommodation, education centre, hospital, leisure and recreation, or place of assembly.
- Environmental Significance Overlay.
- Floodway Overlay.
- Heritage Overlay.
- Land Subject to Inundation Overlay.
- Public Acquisition Overlay.
- Significant Landscape Overlay.
- Special Building Overlay.

52.13-6

26/09/2023
VC246

Permit exemption requirement for an automated collection point

For the purposes of clause 52.13-5, an automated collection point with a gross floor area less than 2 square metres, and a building height less than 2.5 metres must:

- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Be set back at least 30 metres from a dwelling in a Township Zone.
- Not be located on vacant land in a residential or rural zone.
- Not be located in an area set aside for vehicle access or occupy a car parking space.
- Be of muted, non-reflective external colours and finishes.

For the purposes of clause 52.13-5, an automated collection point with a gross floor area of 2 square metres or more, and a building height of 2.5 metres or more must:

- Occupy no more than:
 - 4 existing car parking spaces on the land; or,
 - 5 existing car parking spaces on the land if the land contains 50 or more car parking spaces.
- Be set back at least 4 metres from the frontage.
- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- Not be located on vacant land in a residential or rural zone.
- Be of muted, non-reflective external colours and finishes.

52.13-7

26/09/2023
VC246

Exemption from car parking requirements for an automated collection point

An automated collection point is exempt from the requirements of clause 52.06.

52.13-8

26/09/2023
VC246

Exemption from permit conditions for an automated collection point

Any requirement of a permit, or any permit condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the use or development of land for an automated collection point if the requirements of clause 52.13-3 are met.

52.13-9

26/09/2023
VC246

Application requirements

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

- A site context plan that specifies the location and nature of land use within 100 metres of site boundaries.
- A site and layout plan that includes:
 - Design for safe pedestrian and vehicle movements.
 - Any additional lighting to be included and any proposed baffling.
 - Any existing automated collection points on the site.
- An operational plan that includes:
 - Operating days and hours.
 - Noise, emissions and amenity attenuation measures. This may include a report on how noise and amenity impacts from the use will be reduced.
 - Safety and access details including how the use will be serviced, emptied and how materials will be moved to and from the site.
 - Details and methods of managing the collection, consolidation, storage sorting and recovery of materials within a building to reduce noise and amenity impacts on surrounding land.
 - Details of traffic and car parking requirements generated by the use.

52.13-10

26/09/2023
VC246

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

- The effect on existing car parking provision if an automated collection point is located on existing car parking spaces.
- The setback of the development from a frontage and from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- The effect of siting an automated collection point on vacant land in a residential or rural zone.
- The effect of external colours and finishes.
- The size, density and number of automated collection points including the cumulative impact of automated collection points on the land.
- Whether a proposed operational plan reduces noise and other impacts on nearby land uses.
- Safe pedestrian and vehicle movements on the land.
- The effect of noise, emissions, traffic movements and other amenity impacts on adjoining land uses.
- In a zone other than an industrial zone, Commercial 2 Zone or Port Zone the effect of noise, emissions, traffic movements and other amenity impacts of a container deposit scheme centre on adjacent and nearby sensitive land uses.

52.13-11

26/09/2023
VC246

Exemption from notice and review

An application to use or develop land for an automated collection point including the construction of or putting up for display a sign in conjunction with an automated collection point is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

An application to use or develop a container deposit scheme centre, including the construction of or putting up for display a sign in conjunction with a container deposit scheme centre is exempt from:

- In an industrial zone, Commercial 2 Zone and Port Zone, the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
- In any other zone, the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.13-12

26/09/2023
VC246

Transitional provisions

The requirements of this clause introduced by Amendment VC246 do not apply to:

- An application for an automated collection point or container deposit scheme centre lodged before the approval date of Amendment VC246.
 - An application for an amendment of a permit for an automated collection point or container deposit scheme centre under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC246.
-

52.14

31/07/2018
VC148

2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose

To support the rebuilding of dwellings, dependent persons' units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

52.14-1

14/12/2020
VC188

Scope

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
 - a dwelling or dependent person's unit; or
 - a building used for agriculture,

that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
 - a dwelling or dependent person's unit that is rebuilt in accordance with this clause; or
 - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

52.14-2

20/01/2022
VC205

Exemption from planning scheme requirements

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
 - The location of any damaged or destroyed dwelling, dependent person's unit or building used for agriculture.
 - The proposed location of the replacement dwelling, dependent person's unit or building used for agriculture.
 - The existing and proposed access to the lot.
-

BAYSIDE PLANNING SCHEME

- Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.
- For replacement dwellings and dependent persons' units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
 - The location and dimensions of vehicle access.
 - The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person's unit cannot be connected to a reticulated potable water supply.
 - The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

Commencement of development

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

Compliance with site plan

- The development must comply with the approved site plan.

Use and development conditions

- The land must not be used for more than the number of dwellings or dependent persons' units that were damaged or destroyed.
 - The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
 - For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
 - Access to the dwelling or dependent person's unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
 - The dwelling or dependent person's unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
 - The dwelling or dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
 - The dwelling or dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.
 - A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
 - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
 - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
-

- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Transport Zone 2 or Land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, access must not be created or altered.

52.14-3

31/07/2018
VC148

Land in an Erosion Management Overlay

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.14-4

31/07/2018
VC148

Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant flood plain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5

31/07/2018
VC148

Decision guidelines

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
 - The extent to which the replacement dwelling or dependent person's unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
-

52.1529/10/2015
VC101**HELIPORT AND HELICOPTER LANDING SITE****Purpose**

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

52.15-120/03/2023
VC229**Permit requirement**

A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

No permit is required to use land for a helicopter landing site if any of the following apply:	
Emergency services	The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.
Agriculture	The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.
Public land management	The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following: ▪ Department of Energy, Environment and Climate Action; ▪ The Department of Transport and Planning; ▪ Parks Victoria; or ▪ The Great Ocean Road Coast and Parks Authority, whether on private land or not.
General	The helicopter landing site where either: ▪ The landing point is located more than 500 metres from a building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided: - The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements). - Flight movements do not take place before 7am or after sunset on a weekday. - Flight movements do not take place before 8am or after sunset on a weekend or holiday; or ▪ The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne.

52.15-218/12/2012
VC93**Application requirements**

An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
 - Site boundaries and dimensions.
 - The current land use.
 - The existing siting and layout of buildings and works.
 - The proposed siting and layout of buildings and works.
 - Existing vegetation and proposed vegetation removal.

- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
 - The siting and use of buildings on adjacent properties.
 - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.
- A written report which:
 - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
 - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
 - Providing an acoustic report by a suitably qualified consultant.
 - Includes details of the proposed frequency of flight movements.
 - Includes the proposed hours of operation.

52.15-3

18/12/2012
VC93

Decision guidelines

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
 - The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
-

52.1630/10/2025
VC291**NATIVE VEGETATION PRECINCT PLAN****Purpose**

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of 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.

52.16-112/12/2017
VC138**Application**

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

52.16-214/07/2022
VC213**Native vegetation precinct plans**

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

52.16-312/12/2017
VC138**Permit requirement**

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

52.16-414/07/2022
VC213**Application requirements**

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.16-514/07/2022
VC213**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

52.16-614/07/2022
VC213**Offset requirements**

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

52.16-720/03/2023
VC229**Transitional provisions**

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
 - the original permit application was lodged before that date; or
 - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

52.16-816/08/2024
VC262**Table of exemptions**

The requirement to obtain a permit does not apply to:	
Conservation work	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work: ▪ which provides an overall improvement for biodiversity; and ▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Crown land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land: ▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the <i>Procedure for the removal, destruction or lopping of native vegetation on Crown land</i>; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Emergency works	Native vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority under that Act.
Fire protection	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

	▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under <i>Part 2 of the Conservation, Forests and Lands Act 1987</i>); ▪ in accordance with a fire prevention notice issued under either: – section 87 of the <i>Fire Rescue Victoria Act 1958</i>; – section 65 of the <i>Forests Act 1958</i>; or – section 41 of the <i>Country Fire Authority Act 1958</i>. ▪ keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the <i>Electricity Safety Act 1998</i>; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forest and Lands Act 1987</i>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</i>
Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .
Mineral exploration and mining	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the <i>Mineral Resources (Sustainable Development) Act 1990</i>: ▪ that is low impact exploration within the meaning of Schedule 4A of the <i>Mineral Resources (Sustainable Development) Act 1990</i>; or ▪ in accordance with a work plan approved under Part 3 of the <i>Mineral Resources (Sustainable Development) Act 1990</i>. <i>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</i>
Pest animal burrows	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i> .
Planted vegetation	Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

	This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.
Railways	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is: ▪ bracken (<i>Pteridium esculentum</i>); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Stone exploration	▪ Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resource agreement under Part 6 of the <i>Traditional Owner Settlement Act 2010</i>; or ▪ an authorisation order made under sections 82 or 84 of the <i>Traditional Owner Settlement Act 2010</i> as those sections were in force immediately before the commencement of section 24 of the <i>Traditional Owner Settlement Amendment Act in 2016</i> (1 May 2017).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: ▪ to maintain the safe and efficient function of a Minor utility installation; or ▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).

52.16-9

14/07/2022
VC213

Melbourne Strategic Assessment Levy Area

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.16-4, 52.16-5, 52.16-6 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
 - Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
 - The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.
-

04/02/2021
C1688bays

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

1.0

15/09/2008
VC49

Native vegetation precinct plan

Name of plan

None specified

52.1730/10/2025
VC291**NATIVE VEGETATION****Purpose**

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of 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.

52.17-112/12/2017
VC138**Permit requirement**

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

52.17-214/07/2022
VC213**Application requirements**

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.17-312/12/2017
VC138**Property vegetation plans**

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

52.17-412/12/2017
VC138**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

52.17-514/07/2022
VC213**Offset requirements**

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.

52.17-620/03/2023
VC229**Transitional provisions**

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
 - the original permit application was lodged before that date; or
 - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

52.17-716/08/2024
VC262**Table of exemptions****The requirement to obtain a permit does not apply to:****Conservation work**

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:

- which provides an overall improvement for biodiversity; and
- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Crown land

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:

- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the *Procedure for the removal, destruction or lopping of native vegetation on Crown land*; or
- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Dead native vegetation

Native vegetation that is dead.

This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

Emergency works

Native vegetation that is to be removed, destroyed, or lopped:

- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or
- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

Existing buildings	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008. This exemption does not apply to: ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building.
Existing buildings and works in the Farming Zone and Rural Activity Zone	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone. This exemption does not apply to: ▪ the use or maintenance of a Dwelling; or ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building or works.
Extractive industry	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the <i>Mineral Resources (Sustainable Development) Act 1990</i> and authorised by a work authority under that Act.
Fences	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable: ▪ the operation or maintenance of an existing fence; or ▪ the construction of a boundary fence between properties in different ownership. The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.
Fire protection	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>); ▪ in accordance with a fire prevention notice issued under either: – section 87 of the <i>Fire Rescue Victoria Act 1958</i>; – section 65 of the <i>Forests Act 1958</i>; or – section 41 of the <i>Country Fire Authority Act 1958</i>.

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Geothermal Energy Resources Act 2005</i> .
Grasses	Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: ▪ located within a lawn, garden or other landscaped area; or ▪ maintained at a height of at least 10 centimetres above ground level.
Grazing	Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: ▪ freehold land; or ▪ Crown land in accordance with a license, permit or lease granted under applicable legislation.
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
Harvesting for timber production – naturally established native vegetation	Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the <i>Code of Practice for Timber Production 2014 (as amended 2022)</i> (Department of Environment, Land, Water and Planning, 2022) and are: ▪ undertaken on public land under a licence or permit issued under section 52 of the <i>Forests Act 1958</i>; or ▪ authorised in accordance with Part 5 of the <i>Sustainable Forests (Timber) Act 2004</i>.
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <i>Catchment and Land Protection Act 1994</i> .
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <i>Catchment and Land Protection Act 1994</i> .

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

Lopping and pruning for maintenance

Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned.

This exemption does not apply to:

- the pruning or lopping of the trunk of a native tree; or
- native vegetation on a roadside or railway reservation.

Mineral exploration and extraction

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*:

- that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
- in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.

Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

New buildings and works in the Farming Zone and Rural Activity Zone

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising.

New dwellings in the Farming Zone and Rural Activity Zone

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone.

The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 300 square metres of native vegetation which does not include a tree.
- 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage.

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

Personal use	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land. For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft. This exemption does not apply to: ■ contiguous land in one ownership that has an area of less than 10 hectares; ■ the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or ■ a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
Pest animal burrows	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone: ■ in accordance with written agreement of an officer of the department responsible for administering the <i>Flora and Fauna Guarantee Act 1988</i>; or ■ provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following: – 1 hectare of native vegetation which does not include a tree; or – 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.
Planted vegetation	Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.
Railways	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Regrowth	Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is: ■ less than 10 years old; or ■ bracken (<i>Pteridium esculentum</i>); or

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or
- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is:
 - shown on that plan as being ‘certified regrowth’; and
 - on land that is to be used or maintained for cultivation or pasture during the term of that plan.

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Site area	Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares. This exemption does not apply to native vegetation on a roadside or rail reservation.
Stock movements on roads	Native vegetation that is to be removed, or destroyed by stock being moved along a road. This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.
Stone exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <i>Surveying Act 2004</i>) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

BAYSIDE PLANNING SCHEME

The requirement to obtain a permit does not apply to:

- a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act* in 2016 (1 May 2017).

Tram stops	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: ▪ to maintain the safe and efficient function a Minor utility installation; or ▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>).
Vehicle access from public roads	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road. This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres. This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation. In this exemption, roadside and public road have the same meanings as in section 3 of the <i>Road Management Act 2004</i>. <i>Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.</i>
Weeds	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

52.17-8

14/07/2022
VC213

Melbourne Strategic Assessment Levy Area

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.17-2, 52.17-4, 52.17-5 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
 - Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
 - The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.
-

04/02/2021
C168bays

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

1.0

04/02/2021
C168bays

Scheduled area

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
Bayside's Bushland Reserves listed below: ▪ Balcombe Park, Balcombe Rd Beaumaris, Lot 1 TP742287 & Lot 1 TP391896 ▪ Bay Road Heathland Sanctuary, 246 Bay Rd Sandringham ▪ Cheltenham Park, 2 Park Road Cheltenham ▪ Donald MacDonald Reserve, 54 Fourth St Beaumaris ▪ George Street Reserve, 49-53 Tulip St Sandringham ▪ Gramatan Avenue Heathland Sanctuary, 3 Gramatan Avenue Beaumaris ▪ Long Hollow Heathland, 25-33 Gramatan Avenue Beaumaris	A permit is not required to remove, destroy or lop any native vegetation when the removal, destruction or lopping is undertaken by or on behalf of the public land manager in order to maintain or improve the area as a flora and fauna conservation site.

2.0

04/02/2021
C168bays

Scheduled weed

Area	Description of weed
None specified	

52.1828/10/2022
VC224**CORONAVIRUS (COVID-19) PANDEMIC AND RECOVERY EXEMPTIONS****Purpose**

To support Victoria's social and economic recovery from the coronavirus (COVID-19) pandemic through exemptions that enable outdoor dining and facilitate the reopening and safe operation of hospitality and other businesses.

52.18-117/10/2025
VC296**Operation**

This clause contains exemptions from the requirements of this planning scheme and exemptions from conditions of permits.

The exemptions in this clause prevail over any inconsistent provision in this planning scheme or condition of a permit.

The exemptions in this clause do not apply to a requirement in the Heritage Overlay relating to the construction or carrying out of works to an existing building, the alteration of an existing building, or the painting of an existing building, other than a building constructed or placed under an exemption in this clause.

A use or development carried out under an exemption in this clause must comply with the requirements in clause 52.18-6.

In this clause:

- **drink** includes liquor;
- **exemption period** means the period when a pandemic declaration under the *Public Health and Wellbeing Act 2008* in relation to coronavirus (COVID-19) is in force and 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.

52.18-228/10/2022
VC224**Public land exemptions**

Any requirement in this planning scheme relating to the use of land does not apply to the use of public land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works on public land does not apply to a temporary building or moveable building associated with the use of land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

52.18-328/10/2022
VC224**Food and drink business extension exemptions**

Any requirement in this planning scheme relating to the use of land does not apply to the use of land for hospitality during the exemption period if the use is associated with the existing use of adjoining land for a food and drink premises, function centre, nightclub or winery, and the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to a temporary building or moveable building associated with the use of the land for hospitality during the exemption period if the requirements of clause 52.18-6 are met.

52.18-4

28/10/2022
VC224

Car parking exemption

Any requirement of this planning scheme relating to the provision of car parking does not apply to a use commenced under an exemption in this clause, or the existing use of land for a food and drink premises, function centre, nightclub or winery, during the exemption period.

52.18-5

28/10/2022
VC224

Permit condition exemptions

The following exemptions apply to permits issued before the approval date of Amendment VC193 and which allow:

- the use or development of land for a food and drink premises, function centre, nightclub or winery; or
- the use or development of land for the sale or consumption of liquor associated with the use of the land for a food and drink premises, function centre, nightclub or winery.

Any requirement of a permit, including any condition, relating to the layout or location of the preparation, sale or consumption of food or drink on the land does not apply during the exemption period if the requirements of clause 52.18-6 are met. This exemption does not apply to a condition relating to the maximum number of patrons, hours of operation (including any condition that applies to a particular outdoor area), location or playing of music, or noise levels.

Any requirement of a permit, including any condition, relating to the layout or location of development on the land does not apply to the construction or placing of a temporary building or moveable building, or the construction or carrying out of works, under an exemption in this clause if the requirements of clause 52.18-6 are met.

Any requirement of a permit, including any condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the alteration of an existing use of land under an exemption in this clause during the exemption period if the requirements of clause 52.18-6 are met.

52.18-6

15/03/2024
VC256

Use and development requirements

The following requirements apply to the use and development of land carried out under an exemption in this clause.

The use of the land must not:

- Continue after the exemption period unless in accordance with the requirements of this planning scheme.
- Unreasonably affect the amenity of the neighbourhood, including through:
 - Transport of materials, goods or commodities to or from the land.
 - Appearance of any building, works or materials.
 - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Land in, or within 30 metres of, a residential zone must not be used for the outdoor consumption of food or drink between the hours of 10.00pm and 7.00am. The responsible authority may vary this requirement to extend the hours of the use.

The use or development of land must not impede access required by emergency services or for waste collection.

BAYSIDE PLANNING SCHEME

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.

52.1904/11/2022
VC226**TELECOMMUNICATIONS FACILITY****Purpose**

To ensure that telecommunications infrastructure is provided in an efficient and cost-effective manner to meet community needs.

To facilitate an effective state-wide telecommunications network consistent with proper and orderly planning.

To support the provision of telecommunications facilities with minimal impact on the amenity of the area.

52.19-104/11/2022
VC226**Permit requirement**

A permit is required to construct a building or construct or carry out works for a telecommunications facility. This does not apply to the construction of a building or the construction or carrying out of works for any of the following:

- A low-impact facility specified in the *Telecommunications (Low-impact Facilities) Determination 2018* (Cth).
- The inspection and maintenance of a facility as defined in the *Telecommunications Act 1997* (Cth).
- A facility authorised by a facility installation permit issued under the *Telecommunications Act 1997* (Cth).
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the *Telecommunications Act 1997* (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the *Telecommunications Act 1997* (Cth) pursuant to legislation applying to that body.
- A temporary defence facility.
- A telecommunications facility equipment shelter.
- A telecommunications line forming part of a telecommunications network connected to a building, caravan or mobile home.
- An optical fibre ground wire that replaces an electricity ground wire on a high-voltage transmission tower that supports powerlines designed to operate at 222,000 volts or greater.
- A telecommunications facility located underground if any ground disturbed in constructing or installing the facility is reinstated.
- A telecommunications dish with a diameter of 1.2 metres or less.
- A telecommunications dish with a diameter of more than 1.2 metres and less than or equal to 2.4 metres if the following requirements are met:
 - If the dish is in a Heritage Overlay, it must not be visible from a street (other than a lane) or public park.
 - If the dish is in a residential zone, it must:
 - Be set back from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.
 - Be set back at least 3 metres from a boundary opposite an existing habitable room window.
 - Not be visible from the street (other than a lane) or a public park.

BAYSIDE PLANNING SCHEME

- A telecommunications tower that replaces an existing light pole on public land if the following requirements are met:
 - The public land manager must be a municipal council.
 - The tower must not be more than 8 metres higher than the light pole.
- A telecommunications tower that replaces an existing telecommunications tower on the same land if the following requirements are met:
 - The tower must not be in a residential zone, or a Significant Landscape Overlay, Heritage Overlay or Neighbourhood Character Overlay.
 - The tower must not be more than 8 metres higher than the existing tower.
 - The tower must not be a lattice tower.
 - The tower must be located within 20 metres of the existing tower.
 - The existing tower must be removed within 60 days of the new tower commencing operation.
- The extension of an existing telecommunications tower if the following requirements are met:
 - The tower must not be in a residential zone.
 - The height of the extension must not exceed 8 metres.
 - The tower must not have been previously extended without a permit.
 - The tower must have been constructed for 12 months before the extension.
- A telecommunications facility on a building if the following requirements are met:
 - If the building is in a residential zone, the height of the facility must not be more than 1 metre higher than the building height of the building.
 - If the building is in a zone other than a residential zone, the height of the facility must not be more than 8 metres higher than the building height of the building.
- A telecommunications facility that provides service coverage during routine or emergency maintenance of an existing facility, construction or installation of a new facility, or additional service coverage for an event, if the following requirements are met:
 - The height of the facility must not exceed 25 metres above its base or the height of the existing facility, whichever is the greater.
 - The facility must not be located on the land for more than a total of 4 months in any 12 month period.

52.19-2

04/11/2022
VC226

Land in public ownership

An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

52.19-3

04/11/2022
VC226

Exemptions from notice and review

An application under any provision of this planning scheme to construct a building or construct or carry out works for a telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to:

- An application under a Significant Landscape Overlay, a Heritage Overlay, or Neighbourhood Character Overlay.
- An application under a public land zone if the responsible authority is not the public land manager.
- An application for any of the following:
 - A telecommunications dish.
 - A telecommunications facility on a building within 100 metres of a residential zone.
 - A telecommunications facility on a building within 100 metres of a dwelling not on the same land or land in contiguous ownership.
 - A telecommunications tower in a residential zone.
 - A telecommunications tower within 100 metres of a residential zone.
 - A telecommunications tower within 100 metres of a dwelling not on the same land or land in contiguous ownership.

An application under any provision of this planning scheme to use or develop land for a telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the telecommunications facility is funded, or partly funded, by the Commonwealth through the Mobile Black Spot Program or the State of Victoria.

52.19-4

04/11/2022
VC226

Application requirements

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

- A site analysis and design response explaining the design, siting, construction and operation of the telecommunications facility.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

52.19-5

04/11/2022
VC226

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of clause 65, the responsible authority must consider, as appropriate:

- The design, siting, construction and operation of the telecommunications facility.
 - The effect of the telecommunications facility on adjacent land.
-

52.2019/12/2024
VC273**GOVERNMENT FUNDED HOUSING DEVELOPMENT****Purpose**

To facilitate the use and development of land for housing projects funded wholly or partly, by the Victorian or Commonwealth Government.

To ensure that development does not unreasonably impact on the amenity of adjoining dwellings or small second dwellings.

52.20-119/12/2024
VC273**Application**

This clause applies to the use or development of land that is:

- Funded wholly or partly, by the Victorian or Commonwealth Government; and
- Carried out by or on behalf of the Chief Executive Officer, Homes Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land in an industrial zone, rural zone or Port Zone.
- The use or development of land in a Bushfire Management Overlay.
- A use or development to which Clause 51.01 - Specific Site and Exclusions, or Clause 45.12 - Specific Controls Overlay, or any schedule to the clauses apply.
- A use or development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.20-2.
- A use or development that is inconsistent with an applicable Statement of Planning Policy.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.

In this clause, **Chief Executive Officer, Homes Victoria** means 'Chief Executive Officer, Homes Victoria' as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.20-220/12/2021
VC207**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development Clause 52.20 applies to if requirements of this clause are met.

This exemption does not apply to a requirement in Clauses 45.03 (Environmental Audit Overlay), 45.07 (City Link Project Overlay), 45.08 (Melbourne Airport Environs Overlay), 51.03 (Upper Yarra Valley & Dandenong Ranges Regional Strategy Plan) or 52.02 (Easements, Restrictions and Reserves), or in any schedule to those clauses.

52.20-319/12/2024
VC273**Use and development requirements**

The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning. Plans and documents may be amended to the satisfaction of the Minister for Planning.

The use and development of land to be carried out to the satisfaction of the Minister for Planning must not commence until funding from the Victorian or Commonwealth Government is approved.

52.20-4

14/07/2022
VC230

Consultation requirements

Before plans, documents and information required under Clause 52.20-5 are submitted:

- Public consultation, and consultation with the relevant municipal council, on the plans, documents and information proposed to be submitted under Clause 52.20-5; and
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to, must be completed.

The requirements of Clause 52.20-4 must be undertaken to the satisfaction of the Minister for Planning and may be varied or waived by the Minister for Planning.

52.20-5

31/03/2025
VC267

Requirements for plans and documents

The following plans, documents and information must be prepared and submitted to the satisfaction of the Minister for Planning:

- Written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, by the Victorian or Commonwealth Government.
- A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.
- A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the proposed use including:
 - The activities that will be carried out.
 - The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.
- A report that addresses the proposed use or development and how:
 - It responds to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in Clause 52.20-2. This does not include Clauses 54, 55, 57, 58 and 59.
 - A proposed use that is not a dwelling or residential building is in conjunction with that use.
 - It complies with Clause 52.20-8 Native vegetation requirement.
- A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.
- A schedule of works and development including staging and the expected commencement and completion times.
- A report that details how the proposed development responds to the development standards of:
 - Clause 52.20-6 for the construction or extension of a dwelling.

BAYSIDE PLANNING SCHEME

- Clause 52.20-6 and Clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of Clause 52.20-6.8 does not apply to an apartment development or residential building of 5 or more storeys. The development standards of Clauses 52.20-6.5, 52.20-6.14, 52.20-6.18 and 52.20-6.21 do not apply to an apartment development or residential building.
- If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the use or development would require a permit were it not for the exemption in Clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- Any other plan, document or information the Minister for Planning considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause. This may include street elevations, three dimensional modelling or other methods to describe the proposal.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

The requirements of this clause may be:

- Satisfied for separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of that component or stage.
- Varied or waived by the Minister for Planning.

52.20-6

01/01/2024
VC250

Development standards for dwellings and buildings

52.20-6.1

Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

52.20-6.2 Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table 1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

52.20-6.3 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

52.20-6.4 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways. Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

52.20-6.5 Access

The width of accessways or car spaces that front existing streets should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

52.20-6.6 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

52.20-6.7 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.

Car parking for other land uses must be to the satisfaction of the Minister for Planning.

Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
 - Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
 - Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
 - Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
-

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- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

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

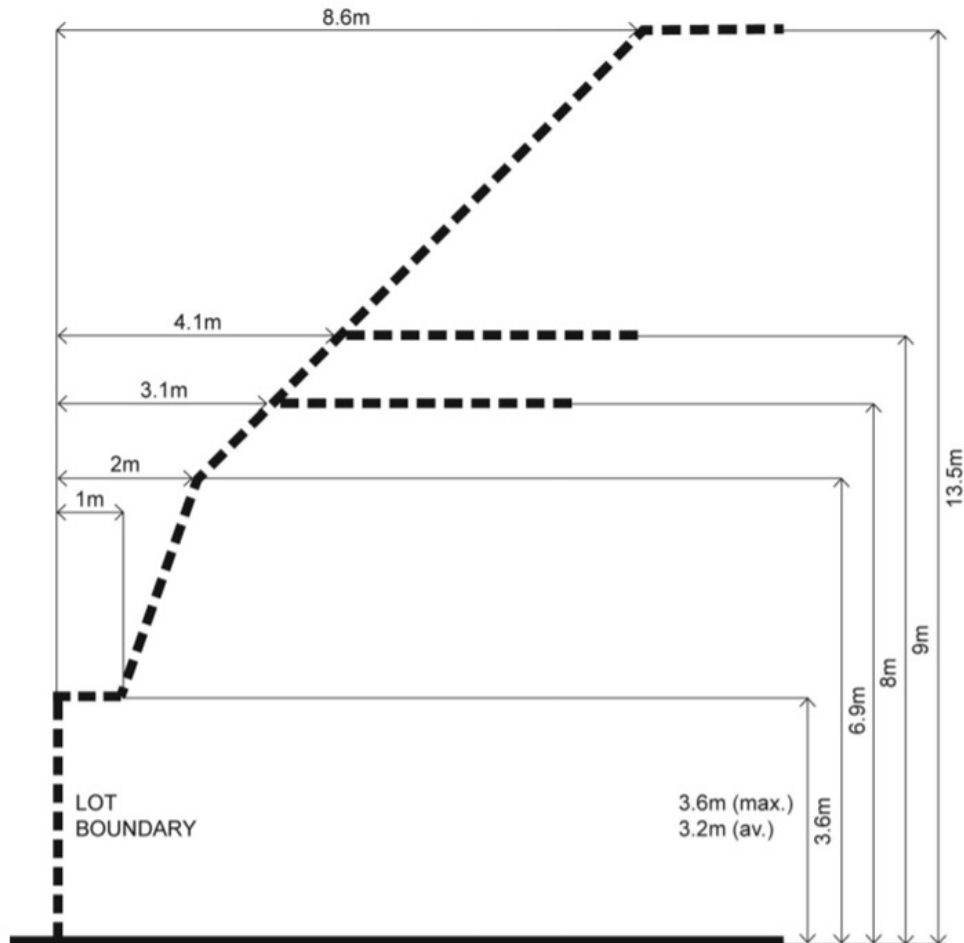
Side and rear setbacks

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.

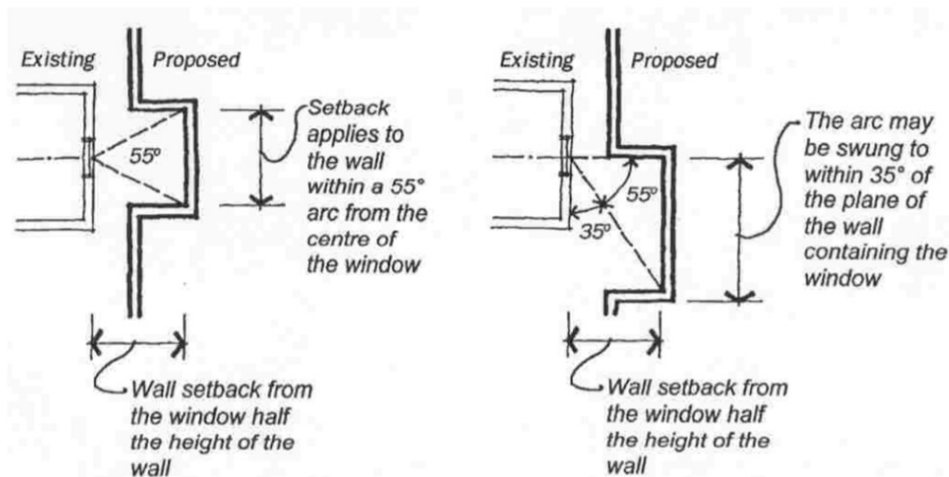
52.20-6.10 Daylight to existing windows

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.

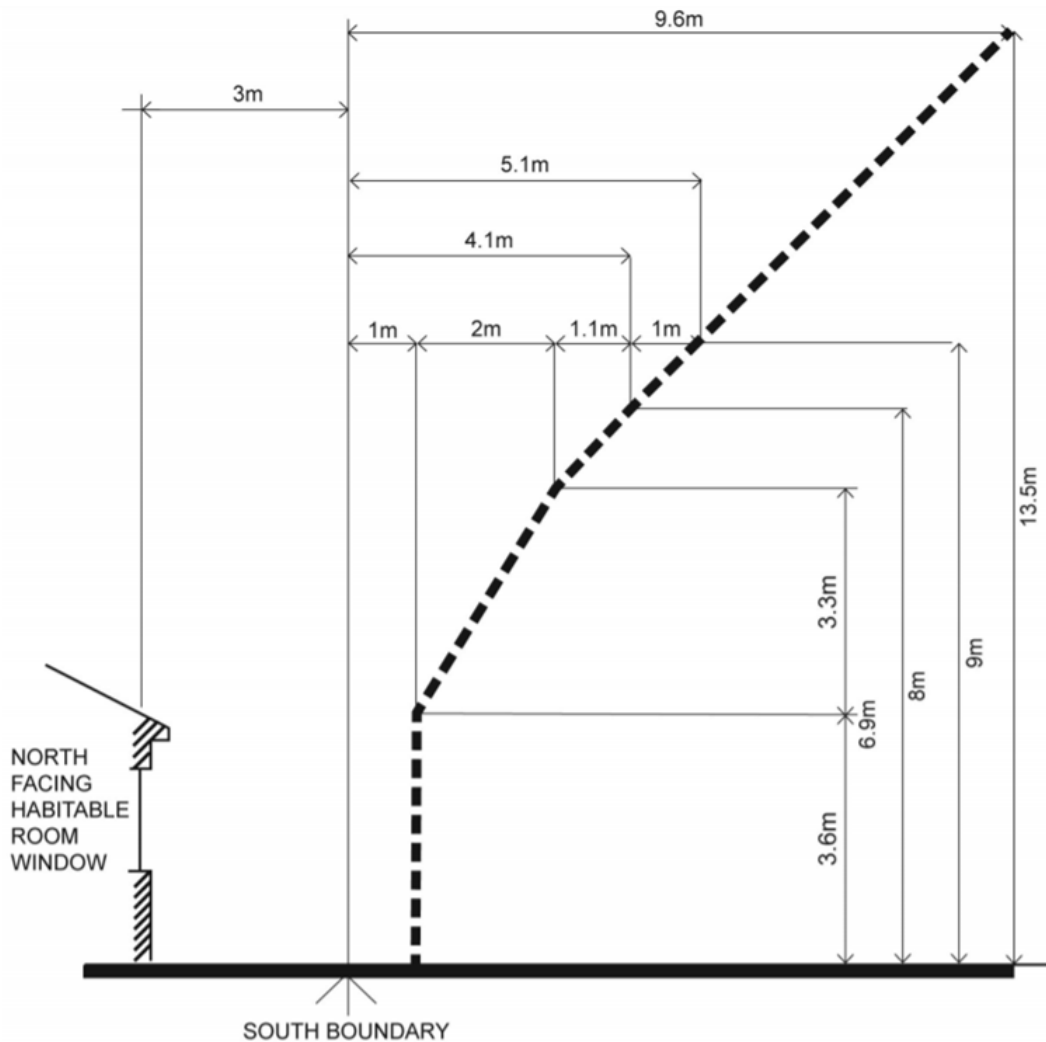
Diagram 3 Daylight to existing windows



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:

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- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

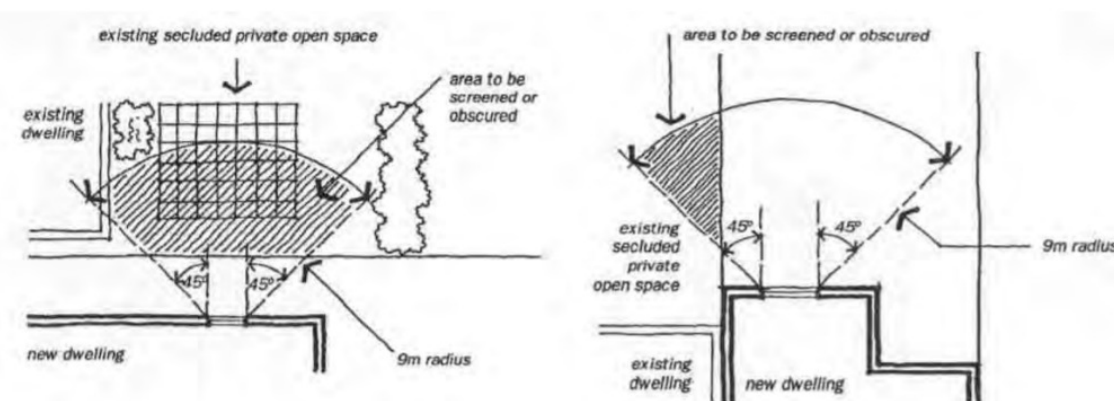
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram 5 Overlooking open space



52.20-6.14 Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

52.20-6.15 Daylight to new windows

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

52.20-6.16 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

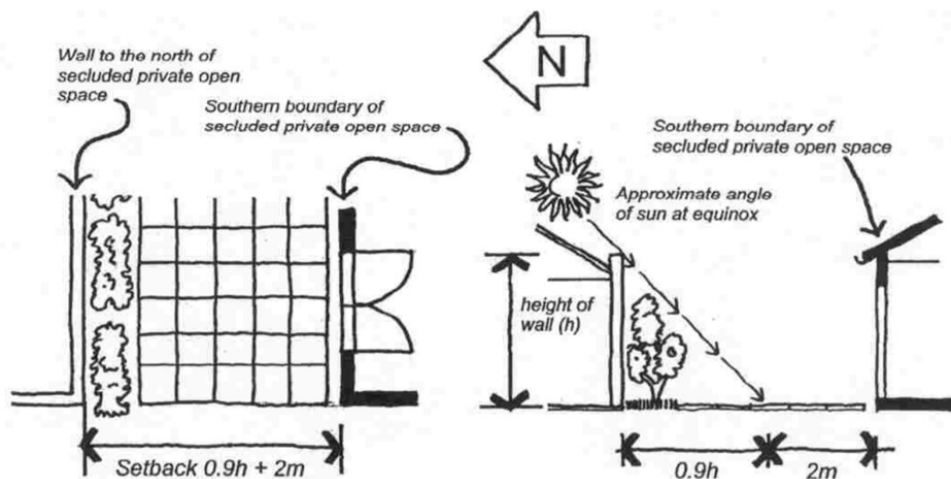
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

52.20-6.17 Solar access to open space

The private open space should be located on the north side of the dwelling if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Diagram 6 Solar access to open space



52.20-6.18 Storage

A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

52.20-6.19 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:

- 2 metres for streets in a Transport Zone 2, and
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

52.20-6.20 Common property

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

52.20-6.21 Site services

The design and layout of buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

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Development standards for apartments

52.20-7.1

Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load
	MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

52.20-7.2 Communal open space

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings or small second dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

52.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

52.20-7.4 Landscaping

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil area specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
 - Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided, trees should be provided in planters specified in Table 6.
 - Consistent with the canopy diameter and height at maturity specified in Table 7.
 - Located in communal outdoor open space or common areas or street frontages.
 - Comprise smaller trees, shrubs and ground cover, including flowering native species.
 - Include landscaping, such as climbing plants or smaller plant in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
 - Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
-

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- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater, and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage pattern of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 6 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table 7 Tree types

Tree types	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	4 metres
B	8 metres	8 metres
C	12 metres	12 metres

52.20-7.5 Integrated water and stormwater management

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater management guidance* (Environment Protection Authority - Publication 1739.1, 2021).
- 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.

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Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table 8 Noise influence area

Noise Source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

52.20-7.8

Accessibility

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.

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	Design option A	Design option B
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

52.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - Include at least one source of natural light and natural ventilation.
 - Avoid obstruction from building services.
 - Maintain clear sight lines.

52.20-7.10 Private open space

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with an area and dimensions specified in Table 10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

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- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table 10 do not apply if at least the area specified in Table 11 is provided as living area or bedroom area in addition to the minimum area specified in Table 13 or Table 14.

Table 10 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table 11 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

52.20-7.11

Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 12.

Table 12 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

52.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - Adequate in size, durable, waterproof and blend in with the development.
 - Adequately ventilated.
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the Minister for Planning and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

52.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 13.
- Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

52.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room

52.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

52.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

52.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.

- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

52.20-7.18 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Development must provide access for service, emergency and delivery vehicles.

52.20-7.19 Site services

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

52.20-7.20 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

52.20-7.21 Wind impacts

Development of five or more storeys should:

- not cause unsafe wind conditions specified in Table 15 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 15 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 15 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

52.20-804/02/2026
VC265**Native vegetation requirements**

In this clause:

- **Guidelines** means the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025);
- **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 Energy, Environment, and Climate Action, 2025) to the satisfaction of Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1 and 5 in Table 4 of the Guidelines must be provided to the satisfaction of the Secretary.

The requirements of this clause may be satisfied for separate components or stages of a development. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

52.20-9

20/03/2023
VC229

Transitional provision

The development standards at Clause 52.20-7 for apartment developments and residential buildings in force immediately before the approval date of Amendment VC207 continue to apply to a use or development that has received written confirmation from the Chief Executive Officer, Homes Victoria that an application is funded, either wholly or partly, under Victoria's Big Housing Build program, signed before 30 June 2022.

52.21

31/07/2018
VC148

PRIVATE TENNIS COURT

Purpose

To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.

To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

52.21-1

31/07/2018
VC148

Application

This clause applies to any private tennis court which is used in association with a dwelling.

52.21-2

19/01/2006
VC37

Permit requirement

A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
 - To construct a building or construct or carry out works.
 - To remove, destroy, prune or lop a tree or vegetation.

52.21-3

19/01/2006
VC37

Application requirements

Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
 - A layout plan to a scale of not less than 1:200.
 - The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
 - Existing and proposed site levels.
 - Location of vegetation to be removed.
 - Proposed landscaping.
 - Illumination levels and the position and height of light poles and fencing.
 - Description of fencing material.
 - The location of easements.
 - Volume of excavated material to be brought to or removed from the site.
 - Means of access to the site.
 - Construction method and timing.
-

52.21-4

31/07/2018
VC148

Notice provisions

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

52.21-5

19/01/2006
VC37

Decision guidelines

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.

52.2226/10/2018
VC152**COMMUNITY CARE ACCOMMODATION****Purpose**

To facilitate the establishment of community care accommodation.

To support the confidentiality of community care accommodation.

52.22-126/10/2018
VC152**Application**

This clause applies to the use and development of land for community care accommodation.

52.22-228/02/2025
VC274**Use exemption**

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Housing Choice and Transport Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Precinct Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use 'community care accommodation' in the table of uses in the zone or schedule to the zone is met.
- The use is:
 - funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
 - funded by, or carried out by, a registered National Disability Insurance Scheme (NDIS) provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not accommodated on the land may access support services provided on the land.

52.22-331/03/2025
VC267**Buildings and works exemption**

Any requirement in the General Residential Zone, Housing Choice and Transport Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is:
 - funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
 - funded by, or carried out by, a registered NDIS provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.
-

- The development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area must be provided in accordance with the minimum garden area requirement specified in the zone.
- The development is in the General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, the standards B2-1, B2-3, B2-4, B4-1, B4-2, B4-3, B4-4 and B5-2 of clause 55 must be met.

52.22-4

04/11/2022
VC226

Exemption from notice and review

An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the application is made by or on behalf of:

- A government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
- A registered NDIS provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.

52.22-5

04/11/2022
VC226

Meaning of terms

In this clause:

- National Disability Insurance Scheme has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.
 - Registered NDIS provider has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.
-

52.23

26/10/2018
VC152

ROOMING HOUSE

Purpose

To facilitate the establishment of domestic-scale rooming houses.

52.23-1

26/10/2018
VC152

Application

This clause applies to use and development of land for a rooming house.

52.23-2

28/02/2025
VC274

Use exemption

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Precinct Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

52.23-3

25/02/2025
VC257

Buildings and works exemption

Any requirement in the General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.

52.25

19/01/2006
VC37

CREMATORIUM

Purpose

To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required

A permit is required to develop and use a crematorium on land that is used for cemetery purposes.

This does not apply to land in the Springvale Crematorium.

Decision guidelines

Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
 - The location and design of the buildings to be constructed.
 - The effect on traffic movement generated by the use.
 - The provision of parking facilities.
-

52.26

31/07/2018
VC148

[NO CONTENT]

52.27

01/07/2025
VC286

[NO CONTENT]

52.28

31/07/2018
VC148

GAMING

52.28-1

18/10/2006
VC39

Purpose

To ensure that gaming machines are situated in appropriate locations and premises.

To ensure the social and economic impacts of the location of gaming machines are considered.

To prohibit gaming machines in specified shopping complexes and strip shopping centres.

52.28-2

31/07/2018
VC148

Gaming objectives

A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

52.28-3

31/07/2018
VC148

Permit requirement

A permit is required to install or use a gaming machine.

This does not apply in either of the following circumstances:

- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-4

31/07/2018
VC148

Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-5

31/07/2018
VC148

Prohibition of a gaming machine in a strip shopping centre

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

52.28-6

31/07/2018
VC148

Locations for gaming machines

A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.

52.28-7

31/07/2018
VC148

Venues for gaming machines

A schedule to this clause may specify guidelines relating to venues for gaming machines.

52.28-8

31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

52.28-9

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
 - The compatibility of the proposal with adjoining and nearby land uses.
 - The capability of the site to accommodate the proposal.
 - Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
 - Any other matters specified in the schedule to this clause.
-

18/06/2021
C180bays**SCHEDULE TO CLAUSE 52.28 GAMING****1.0**18/06/2021
C180bays**Objectives**

To guide the location, design and operation of venues containing gaming machines, including gaming premises, to reduce the risk of social and economic harm, protect vulnerable communities and minimise opportunities for convenience gaming.

To limit the net social and economic impact of gaming machines so they will not be detrimental to the wellbeing of the community.

To respect the amenity of existing uses surrounding gaming premises.

Reduce exposure to gaming premises to support the social and economic role of activity centres.

2.018/06/2021
C180bays**Prohibition of a gaming machine in a shopping complex**

Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

Name of shopping complex and locality	Land description
Dendy Plaza, Brighton	26-34 Church St, Brighton

3.018/06/2021
C180bays**Prohibition of a gaming machine in a strip shopping centre**

A gaming machine as specified in Clause 52.28-5 is prohibited in a strip shopping centre specified in Table 2 below.

Table 2

Name of strip shopping centre and locality	Land description
East Brighton Shopping Centre, Brighton East	758-778 Hawthorn Road & 763-765D Hawthorn Road, East Brighton
Dendy Village, Brighton East	757-767 Hampton Street, Brighton & 736- 770 Hampton Street, Brighton East
Brighton Beach (Were Street) Centre, Brighton	108-122 Were Street, 117-135 Were Street & 5 Davie Lane, Brighton
Bluff Road and Highett Road Centre, Hampton	349-361 Bluff Road, Hampton, 404-424 Bluff Road & 95-97 Highett Road, Highett
Seaview Shopping Centre, Beaumaris	326-350 Balcombe Road, 333-359 Balcombe Road & 121 Cromer Road, Beaumaris
Balcombe Road and Charman Road, Beaumaris	99-115 Charman Road & 268 Balcombe Road, Beaumaris
Thomas and Egan Street, East Brighton	123-135 Thomas Street, East Brighton
South Road Plaza, Hampton	507-533 Bluff Road, Hampton
Highett Village Shopping Centre, Highett	487-501 Highett Road, 260-286 Highett Road & 72-82 Graham Road, Highett

BAYSIDE PLANNING SCHEME

Name of strip shopping centre and locality	Land description
Little Highett Village, Highett	1-23 Spring Street, Highett
Bluff Road and Bay Road, Sandringham/Highett	257-267 Bluff Road, Sandringham & 302- 320C Bluff Road, Highett
Bay Road and Jack Road, Cheltenham	340-362 Bay Road, Cheltenham
Ludstone Street, Hampton	75-87 Ludstone Street, Hampton
Bluff Road and Edward Street, Sandringham	177-189 Bluff Road, Sandringham & 184 Bluff Road, Sandringham
New Street and Martin Street, Brighton	410-432 New Street & 59 Martin Street, Brighton
South Road and Esplanade Avenue, Brighton	1 Esplanade Avenue, 2-10 Station Walk & 5-13 South Road, Brighton
Hawthorn Road Shopping Centre, Brighton East	600-624 Hawthorn Road & 601-629 Hawthorn Road, East Brighton
Bay Road and Avoca Street, Highett	257-277 Bay Road, Highett
Hampton East Major Activity Centre, Nepean Highway and South Road, Hampton East	324-354 South Road, 18-20 Katoomba Street, 18-26 Keiller Street & 844-934 Nepean Highway, Hampton East
Black Rock Neighbourhood Activity Centre, Black Rock	1-41 Bluff Road, 2-42 Bluff Road, 588-606 Balcombe Road, 581-613 Balcombe Road & 297-307 Beach Road, Black Rock
Beaumaris Neighbourhood Activity Centre, Beaumaris	1-31A North Concourse, 2-22 North Concourse, 1-23 South Concourse, 2-36 South Concourse, 1-5 East Concourse & 2- 62 East Concourse, Beaumaris
Martin Street, Gardenvale Neighbourhood Activity Centre, Gardenvale	112-172 Martin Street, 115- 175 Martin Street, 2a & 2b Hamilton Street, 75-81 Asling Street, 90 Asling Street, 1a Rose Street & 2-20 Spink Street, Gardenvale
Sandringham Major Activity Centre, Sandringham	1-15 Waltham Street, 2-34 Waltham Street, 18-24 Abbott Street, 18-98 Station Street, 67-95 Station Street, 1-39 Melrose Street, 12-16 Melrose Street, 116-118 Beach Road, 7-31 Bay Road & 10-76 Bay Road, Sandringham
Church Street Major Activity Centre, Brighton	2-154 Church Street, 3-147 Church Street, 3-5, 8 St Andrews Street, 196-208 New Street, 19-31,26, 36 Carpenter Street, 21-37 Well Street, 1-15 Male Street & 1-4 Railway Walk, Brighton
Bay Street Major Activity Centre, Brighton	181-447 Bay Street, 198-386 Bay Street, 8 Cochrane Street, 26 Outer Crescent, 10-14 Warleigh Grove & 163 Male Street, Brighton
Hampton Major Activity Centre, Hampton	600-630 Hampton Street Brighton East, 601-633 Hampton Street Brighton, 100 South Road, 249-599 Hampton Street, 350- 570 Hampton Street, 1 Mills

BAYSIDE PLANNING SCHEME

Name of strip shopping centre and locality	Land description
	Street, 20-22, 36 Willis Street, 33-35 Willis Street, 1, 2 Grants Lane, 1, 2 Willis Lane, 2-6 Railway Walk, 7-31 Small Street, 2-14 Small Street, 7-13, 24 Railway Crescent, 1 Crisp Street & 1 Service Street, Hampton
Keys Street Shopping Centre, Beaumaris	464, 467, 468-469, 470, 471 472 Beach Road, 1-22 Keys Street, 46A and 48-50 Keys Street, Beaumaris
Bluff Road and Love Street, Black Rock	111, 113, 115, 119, 121, 123, 125, 127, 127A, 129, 129A, 131, 143 Bluff Road, Black Rock
Balcombe Park, Beaumaris	457, 459, 461, 461A, 463, 463A, 465, 465A, 467, 469, 471, 473, 475, 477, 477A, 479, 481, 483 Balcombe Road, Beaumaris
Keith Street and Widdop Crescent Centre, 1-17 Keith Street, Hampton East Hampton East	1-17 Keith Street, Hampton East
Nepean Highway and Milroy Street Centre, Brighton East	357 - 363 Nepean Highway and 2A Cambridge Street, Brighton East
Nepean Highway and Centre Road Centre, Brighton East	643-675 Nepean Highway and 681 – 721 Nepean Highway, Brighton East
Nepean Highway and Union Street Centre, Brighton East	429 – 533 Nepean Highway and 17 Union Street, Brighton East
Beach Road and Georgiana Street Centre, Sandringham	72-81 Beach Road, Sandringham
Bluff Road and Spring Street Centre, Sandringham	210-232 Bluff Road, Sandringham
Weatherall Road Centre, Cheltenham	152-176 Weatherall Road, Cheltenham

4.0

18/06/2021
C180bays

Locations for gaming machines

Gaming venues and machines should be located:

- On sites that are more than 500 metres along the road network from:
 - An Australian Bureau of Statistics collection district that is within the most socio-economically disadvantaged 20 percent within Victoria as defined by the Socio Economic Indexes for Areas (SEIFA) Index of Relative Disadvantage.
 - Another venue which operates gaming machines.
 - Sensitive community facilities.
 - The offices of public and private welfare agencies.
 - A railway station or transport interchange.
- Outside of areas that are in:
 - Neighbourhood Activity Centres.

- The Mixed Use and Commercial 1 zones of the Bayside Business.
- Suburbs where the density of gaming machines per 1000 resident adults, including the proposed machines, is greater than the metropolitan Melbourne average, based on the most recent statistical data for the Melbourne metropolitan region released by the Victorian Commission for Gambling Regulation, the Australian Bureau of Statistics or other government source.

5.0

18/06/2021
C180bays

Venues for gaming machines

Gaming machines should be located in venues that:

- Provide a range of social, leisure and recreational activities other than gaming as the primary purpose of the venue. Alternative non-gaming social, leisure and recreational facilities include hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same times as the proposed gaming venue will operate.
- Have a gaming floor area less than 25 per cent of the total floor area of the venue.
- Have access to natural light and allow patron surveillance of outdoor areas.
- Have clear directional signs to all non-gaming amenities, including toilets and dining areas, lounges, recreational facilities.
- Physically and visually separate the venue's non-gaming activities from gaming activities.
- Are designed so that amenities for the venue's non-gaming activities, including entrances and exits, toilets, meeting spaces and dining areas, can be accessed without entering the gaming area.
- Do not operate for more than 16 hours per day.
- Will not have a significant adverse amenity impact on the adjoining land uses as a result of operating hours, traffic, noise, car parking, safety and security.

6.0

18/06/2021
C180bays

Application requirements

The following application requirements apply to an application for a permit under Clause 52.28, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A summary of the application with details of:
 - The proposed hours of operation.
 - Patron numbers.
 - The number of staff positions (equivalent full time).
 - Proposed security measures.
 - Non-gaming facilities to be provided.
 - The number of gaming machines to be installed.
 - A report addressing:
 - How the proposal addresses the objectives and location criteria of this policy.
 - The probable social, economic, environmental and amenity impacts of the proposal.
-

- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community.
- Details of any existing gaming expenditure at the premises (over a three year period prior to the application) and a forecast of the anticipated gaming expenditure at the premises if the proposal were approved.

For applications to increase the number of gaming machines in an existing gaming premises, the report must address these matters in relation to both the existing and proposed gaming machines.

7.0

18/06/2021
C180bays

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The direct and indirect social and economic impacts immediately arising from the proposal as well as in the longer-term.
- Projected changes in per capita gaming expenditure, gaming machine density and gaming premises density resulting from the proposal.
- Social and economic indicators of residents living within a two kilometre radius of the proposed premises including:
 - The Socio Economic Indexes for Areas (SEIFA), in particular the Index of Relative Socio-Economic Disadvantage and the Index of Economic Resources.
 - Household and family composition.
 - Proportion of households experiencing rental and/or mortgage stress.
 - Location of public housing.
 - Proportion of residents receiving income support.
 - Retained retail spending.
 - Proximity of the proposed premises to areas of disadvantage.
- Location aspects of the premises in terms of the accessibility of gaming opportunities.
- Whether the location design and operation of the venue is likely to minimise harm from gaming and avoid a detrimental net social and economic impact to the community.
- Measures that have been proposed by the applicant to restrict the access of minors to the gaming area.
- Design measures to minimise exposure of other patrons in the venue to gaming facilities.
- The amount of gaming revenue proposed by the applicant to be provided for the benefit of the community in the City of Bayside (such as through sponsorships and donations), and the procedures by and purposes to which these funds will be allocated.
- Any other relevant probable social and economic impacts on the local and wider communities.

52.2920/01/2022
VC205**LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK****Purpose**

To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

52.29-120/01/2022
VC205**Application**

This clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.

52.29-220/01/2022
VC205**Permit requirement**

A permit is required to:

- Create or alter access to:
 - A road in a Transport Zone 2.
 - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.
- Subdivide land adjacent to:
 - A road in a Transport Zone 2.
 - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.

52.29-314/05/2021
VC198**Permit not required**

A permit is not required to:

- Create or alter access, or subdivide land, if carried out by or on behalf of the Head, Transport for Victoria.
- Realign a boundary.
- Subdivide an existing building, provided the building is already connected to services and no new access is required.
- Subdivide land into two lots, provided no new access is required.

52.29-420/01/2022
VC205**Referral of applications**

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in clause 66.03.

52.29-531/07/2018
VC148**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.29-620/01/2022
VC205**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
-

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- The views of the relevant road authority.
 - The effect of the proposal on the operation of the road and on public safety.
 - Any policy made by the relevant road authority pursuant to schedule 2, clause 3 of the *Road Management Act 2004* regarding access between a controlled access road and adjacent land.
-

52.3012/02/2024
VC254**STATE PROJECTS****Purpose**

To facilitate the development and delivery of projects by or on behalf of, or jointly or in partnership with, or funded by the State of Victoria or a public authority, or on Crown land.

52.30-104/02/2026
VC265**Application**

This clause applies to any project decided by the Minister for Planning under clause 52.30-2 to be a state project.

In this clause:

- **Chief Executive Officer, Homes Victoria** means ‘Chief Executive Officer, Homes Victoria’ as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*;
- **green wedge land** has the same meaning as in Division 1 of Part 3AA of the Act;
- **Guidelines** means the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025);
- **levy area** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- **project** means:
 - use or development of land; or
 - creation or alteration of access to a road in a Transport Zone; or
 - creation, variation or removal of an easement or restriction; or
 - variation or removal of a condition in the nature of an easement in a Crown grant;
- **restriction** has the same meaning as in the *Subdivision Act 1988*;
- **Secretary** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.30-212/02/2024
VC254**State project decision**

The exemption in clause 52.30-3 applies if the Minister for Planning is satisfied that a proposed project is a state project which:

- will be:
 - carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or
 - funded, or partly funded by, the State of Victoria or a public authority; or
 - carried out on Crown land;
- is consistent with any Great Ocean Road strategic framework plan, Statement of Planning Policy or Yarra Strategic Plan that applies to the land;
- will not subdivide green wedge land into more lots or into smaller lots than allowed for by this planning scheme;

- is consistent with any approved regional strategy plan under Part 3A of the Act and any approved strategy plan under Part 3C or Part 3D of the Act; and
- does not form part of public works declared under section 3, or works subject to a notice under section 8B(4)(a)(i), or does not require an environment effects statement under the *Environment Effects Act 1978*.

In deciding whether a proposed project is a state project, the Minister for Planning may, where relevant:

- Consider the objectives of planning in Victoria.
- Have regard to any relevant Minister's directions.
- Have regard to the *Victoria Planning Provisions*.
- Take into account any significant effects which the Minister considers the proposed use or development may have on the environment or which the Minister considers the environment may have on the proposed use or development.
- Take into account any significant social effects and economic effects which the Minister considers the proposed use or development may have.
- Consider any existing specific control under clause 45.12 or 51.01 that applies to the proposed use or development.

52.30-3

12/02/2024
VC254

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits a project, requires a project to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a project decided by the Minister for Planning under clause 52.30-2 to be a state project if the requirements of clause 52.30 are met.

This exemption does not apply to the following:

- The subdivision of green wedge land into more lots or into smaller lots than allowed for by this planning scheme.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A use or development carried out by or on behalf of, or jointly or in partnership with, the Chief Executive Officer, Homes Victoria.
- A use or development to which clauses 52.03, 52.35 or 52.36 apply.
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

52.30-4

29/09/2022
VC222

Project requirement

The project must be carried out generally in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

52.30-5

29/09/2022
VC222

Consultation requirements

Before the project commences:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed project will be carried out, must be carried out to the satisfaction of the Minister for Planning.
 - A report that summarises the consultation undertaken and the feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.
-

The requirements of this clause may be varied or waived by the Minister for Planning.

52.30-6

12/02/2024
VC254

Other pre-commencement requirements

Before the project commences, the following plans, documents and information must be prepared and submitted to the satisfaction of the Minister for Planning:

- A plan that shows the boundary of the land on which the project will be carried out.
- A site and context description that accurately describes and analyses the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the land and surrounding area, including any existing use and development.
- A description of the proposed use including:
 - The activities that will be carried out.
 - The likely effects, if any, on the land, and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- A report that addresses how the proposed project responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the proposed project but for the exemption in clause 52.30-3.
- A schedule of works and development including staging and the expected commencement and completion times.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the Minister's decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the proposed project would require a permit but for the exemption in clause 52.30-3 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed project.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the proposed use or development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.
- Any other plan, document or information the Minister for Planning considers necessary to assist the Minister's assessment of the proposed project or the plans and documents required to be prepared under this clause.

The requirements of this clause may be:

- Satisfied in separate components or stages of a project, but each requirement must be satisfied prior to the commencement of that component or stage.
- May be varied or waived by the Minister for Planning.

The plans and other documents required by this clause may be amended during the project to the satisfaction of the Minister for Planning.

52.30-7

25/03/2021
VC194

Native vegetation requirements

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with application requirements in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The Secretary may vary the timing of the offset requirement.

The secured offset for a state project to which this clause applies may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with application requirements in Tables 4 and 5 (other than requirement 9) of the Guidelines must be prepared to the satisfaction of the Secretary.

The information requirements of this clause may be varied or waived by the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.3125/03/2021
VC194**LOCAL GOVERNMENT PROJECTS****Purpose**

To facilitate the development of land by or on behalf of municipal councils.

52.31-125/03/2021
VC194**Permit exemptions**

Any requirement in a zone or a schedule to a zone to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council. This exemption does not apply to:

- A development with an estimated cost of more than \$10 million.
- A development in the Urban Floodway Zone unless the development is carried out to the satisfaction of the relevant floodplain management authority.
- A development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A development for which the Minister for Planning has decided that an assessment through an environment effects statement under the *Environment Effects Act 1978* is not required if the Minister's decision is subject to conditions.

Any requirement in the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council to the satisfaction of the relevant floodplain management authority.

This clause prevails over any inconsistent provision in this planning scheme.

52.31-225/03/2021
VC194**Exemption from notice and review**

An application under any provision of this planning scheme to develop land by or on behalf of a municipal council is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to:

- An application for a development with an estimated cost of more than \$10 million.
- An application for a development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- An application to remove, destroy or lop more than:
 - 0.5 hectares of native vegetation other than a tree; or
 - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level; or
 - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

52.3231/07/2018
VC148**WIND ENERGY FACILITY****Purpose**

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

52.32-103/08/2021
VC206**Application**

This clause applies to land used and developed or proposed to be used and developed for a wind energy facility.

52.32-203/08/2021
VC206**Use and development of land**

A permit is required to use and develop land for a wind energy facility.

The use and development of land for a wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

Location	Condition
On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.	Must meet the requirements of clause 52.32-3.
Land described in a schedule to the <i>National Parks Act 1975</i>	Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.
Land declared a Ramsar wetland as defined under section 17 of the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cwth)	
Land listed in a schedule to Clause 52.32-2	Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.

52.32-303/08/2021
VC206**Turbine within one kilometre of a dwelling**

An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:

- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

52.32-4

04/07/2023
VC234

Application requirements

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

Site and context analysis

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
 - Site shape, dimensions and size
 - Orientation and contours
 - Current land use
 - The existing use and siting of buildings or works on the land
 - Existing vegetation types, condition and coverage
 - The landscape of the site
 - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
 - Sites of cultural heritage significance
 - Wind characteristics
 - Any other notable features, constraints or other characteristics of the site.
 - In relation to the surrounding area:
 - Existing land uses
 - Above-ground utilities
 - Access to infrastructure
 - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
 - The siting and use of buildings on adjacent properties
 - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
 - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
 - Sites of cultural heritage significance
 - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*
-

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- Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

Design response

- Detailed plans of the proposed development.
 - Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
 - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
 - A rehabilitation plan for the site.
 - A written report(s), including:
 - A description of the proposal.
 - An explanation of how the proposed design derives from and responds to the site analysis.
 - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
 - An assessment of:
 - the visual impact of the proposal on the surrounding landscape.
 - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
 - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).
 - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
 - A statement of why the site is suitable for the wind energy facility.
 - An environmental management plan including any rehabilitation and monitoring requirements.
 - A pre-construction (predictive) noise assessment report prepared by a suitably qualified and experienced acoustician that:
 - Reports on a pre-construction (predictive) noise assessment conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.
 - Provides an assessment of whether the proposed wind energy facility will comply with the noise limit for that facility under Division 5 Part 5.3 of the *Environment Protection Regulations 2021*.
-

- Where the proposed wind energy facility will be the subject of a wind turbine noise agreement under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021*, specifies the premises of the relevant landowner (including any particular buildings) to which the agreement relates and provides an assessment of whether the proposed wind energy facility will comply with the modified noise limit for that facility specified in the agreement.
- Is prepared on the basis that the relevant noise standard under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021* will be *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise* and includes an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the standard.
- A report prepared by an environmental auditor appointed under Part 8.3 of the *Environment Protection Act 2017* that verifies whether or not the pre-construction (predictive) noise assessment was conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

52.32-5

04/07/2023
VC234

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.
- The impact of the development on significant views, including visual corridors and sightlines.
- The impact of the facility on the natural environment and natural systems.
- The impact of the facility on cultural heritage.
- The impact of the facility on aircraft safety.
- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021).

52.32-6

03/08/2021
VC206

Anemometer

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

52.32-7

03/08/2021
VC206

Application to amend a permit under section 72 of the Act

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or
- increase the maximum height of a turbine.

52.32-8

03/08/2021
VC206

Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

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- increase the total number of turbines; or
- increase the maximum height of a turbine.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
 - increase the maximum height of a turbine by more than 20%.
-

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0

31/07/2018
VC148

Wind energy facility prohibition

Land where a Wind energy facility is prohibited

None specified

52.3331/07/2018
VC148**POST BOXES AND DRY STONE WALLS****Purpose**

To conserve historic post boxes and dry stone walls.

Permit requirement

A permit is required to demolish or remove a post box constructed before 1930.

A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
 - Any applicable heritage study, statement of significance and conservation policy.
 - Whether the proposal will adversely affect the significance of the post box or dry stone wall.
 - Whether the proposal will adversely affect the significance, character or appearance of the area.
-

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0

31/07/2018
VC148

Permit requirement for dry stone walls

Land

None specified

52.3431/07/2018
VC148**BICYCLE FACILITIES****Purpose**

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

52.34-119/01/2006
VC37**Provision of bicycle facilities**

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

52.34-231/07/2018
VC148**Permit requirement**

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

52.34-314/01/2025
VC148**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.34-414/01/2025
VC237**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- *Australian Standard AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking* (Standards Australia, 2015)
- Any relevant bicycle parking strategy or equivalent.

52.34-528/02/2025
VC274**Required bicycle facilities**

Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.

If a schedule to the Precinct Zone specifies the number of bicycle spaces required for a use listed in column 1 of Table 1, that requirement is taken to be the required number of bicycle spaces for that use for the purpose of this clause.

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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

BAYSIDE PLANNING SCHEME

Use	Employee/Resident	Visitor/Shopper/Student
Residential building other than specified in this table	In developments of four or more storeys, 1 to each 10 lodging rooms	In developments of four or more storeys, 1 to each 10 lodging rooms
Restaurant	1 to each 100 sq m of floor area available to the public	2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.
Retail premises other than specified in this table	1 to each 300 sq m of leasable floor area	1 to each 500 sq m of leasable floor area
Secondary school	1 to each 20 employees	1 to each 5 pupils
Service industry	1 to each 800 sq m of net floor area	None
Shop	1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres	1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres
Take-away food premises	1 to each 100 sq m of net floor area	1 to each 50 sq m of net floor area

Table 2 to Clause 52.34-5 Showers

USE	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	None

Table 3 to Clause 52.34-5 – Change rooms

USE	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	None

52.34-6

31/07/2018
VC148

Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:

- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

52.34-7

31/07/2018
VC148

Bicycle signage

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
 - Display a white bicycle on a blue background on the top half of the sign.
 - Display information about the direction of facilities on the bottom half of the sign.
-

52.35

07/11/2025
VC295

ROAD PROJECTS

52.35-1

07/11/2025
VC295

Purpose

To facilitate the delivery of projects carried out by or on behalf of VIDA Roads.

52.35-2

07/11/2025
VC295

Application

This clause applies to the use and development of land for a project carried out by or on behalf of VIDA Roads.

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

14/05/2021
VC198

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.35 applies if the requirements of clause 52.35 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.35-4

14/05/2021
VC198

Use and development requirements

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.35, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.35-5

14/05/2021
VC198

Consultation requirements

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.35-6

14/05/2021
VC198

Project boundary requirement

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.35-7

14/05/2021
VC198

Other pre-commencement requirements

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.35.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3:
 - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
 - Site plans and elevations showing the extent of the proposed development on the land.
 - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.
- A statement outlining landscape and urban design measures or treatments required to address any amenity impacts as part of the project.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
 - A summary of key construction methodologies.
 - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
 - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
 - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.35-8

04/02/2026
VC265

Native vegetation requirements

In this clause:

- **Guidelines** means the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025);
- **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.
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- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.35-9

14/05/2021
VC198

Preparatory use and development

For the purposes of clause 52.35, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.35-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated 'no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
 - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
 - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.35, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.3614/05/2021
VC198**RAIL PROJECTS****52.36-1**14/05/2021
VC198**Purpose**

To facilitate the delivery of projects carried out by or on behalf of Rail Projects Victoria.

52.36-214/05/2021
VC198**Application**

This clause applies to the use and development of land for a project carried out by or on behalf of Rail Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.36.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.36-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.36 prevail over any inconsistent provision in this planning scheme.

52.36-314/05/2021
VC198**Exemption from planning scheme requirements**

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.36 applies if the requirements of clause 52.36 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.36-420/01/2022
VC205**Use and development requirements**

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.36, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, must be carried out to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.36-5

14/05/2021
VC198

Consultation requirements

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.36-6

14/05/2021
VC198

Project boundary requirement

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.36-7

14/05/2021
VC198

Other pre-commencement requirements

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
 - A description of the project.
 - An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.36.
 - If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3:
 - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
 - Site plans and elevations showing the extent of the proposed development on the land.
 - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
 - If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
 - An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.
-

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
 - A summary of key construction methodologies.
 - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
 - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
 - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
 - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
 - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.36-8

04/02/2026
VC265

Native vegetation requirements

In this clause:

- **Guidelines** means the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025);
- **levy area** has the same meaning as in the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*;
- **Secretary** means the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

Before the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development, information about that native vegetation in accordance with application requirements 1, 5, 9, 10 and 11 in Tables 4 and 5 to the Guidelines must be prepared to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation outside the levy area (other than to enable a preparatory use or development):

- Information about the native vegetation in accordance with application requirements 1, 5, 9, 10, and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.
-

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.36-9

14/05/2021
VC198

Preparatory use and development

For the purposes of clause 52.36, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.36-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated 'no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
 - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
 - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.36, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.3715/09/2025
VC289**CANOPY TREES****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.

52.37-115/09/2025
VC289**Meaning of terms**

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.

52.37-215/09/2025
VC289**Permit requirement**

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).

52.37-315/09/2025
VC289**Canopy tree requirement**

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 ($20\% + [(0.5 \times (30\% - 20\%))] = 25\%$).

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.

52.37-415/09/2025
VC289**Decision 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 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.

52.37-515/09/2025
VC289**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.37-615/09/2025
VC289**Application requirements**

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.

52.37-715/09/2025
VC289**Decision guidelines**

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

21/11/2025
VC301

Table of exemptions

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: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the 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 <i>Mineral Resources (Sustainable Development) Act 1990</i> 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: ▪ fire fighting; ▪ planned burning; ▪ 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; ▪ 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);

- in accordance with a fire prevention notice issued under either:
 - section 87 of the Fire Rescue Victoria Act 1958;
 - section 65 of the Forests Act 1958; or
 - section 41 of the Country Fire Authority Act 1958; or
- 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;
- 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.

Note:

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 <i>Geothermal Energy Resources Act 2005</i> .
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 <i>Greenhouse Gas Geological Sequestration Act 2008</i> .
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 <i>Catchment and Land Protection Act 1994</i> .

BAYSIDE PLANNING SCHEME

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 <i>Catchment and Land Protection Act 1994</i> .
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. This exemption does not apply to: ▪ the pruning or lopping of the trunk of a canopy tree; ▪ 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: ▪ that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or ▪ in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990. Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of 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: ▪ a declaration under section 58 or section 58A of the <i>Catchment and Land Protection Act 1994</i>. This exemption does not apply to Australian Dodder (<i>Cuscuta australis</i>); or ▪ 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.

The requirement to obtain a permit does not apply to:

Traditional owners

A canopy tree that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

- a natural resources agreement under Part 6 of the Traditional Owner Settlement Act 2010; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owners Settlement Amendment Act in 2016 (1 May 2017)*.

Transport system

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, a public authority or a municipal council to construct or maintain the transport system.

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.

GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS

53.0125/02/2025
VC257**PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION**

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

This requirement does not apply if a public open space contribution requirement is specified in a schedule to the Built Form Overlay.

53.01-131/07/2018
VC148**Exemption from public open space requirement specified in the scheme**

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
 - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
 - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.
- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

53.01-231/07/2018
VC148**Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988**

For the purposes of section 18(8)(a) of the *Subdivision Act 1988*, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the *Subdivision Act 1988* for other requirements that apply to a public open space requirement specified in the planning scheme.

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0

31/07/2018
VC148

Subdivision and public open space contribution

Type or location of subdivision	Amount of contribution for public open space
The subdivision of land on a Strategic Redevelopment Site	5%, or greater subject to the negotiation of a development plan.
All other land	5%

53.02

31/07/2018
VC148

BUSHFIRE PLANNING

Purpose

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

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

53.02-1

05/05/2026
VC248

Application

This clause applies to the following types of applications:

- An application under clause 44.06 (Bushfire Management Overlay), other than an application that meets all of the applicable requirements specified in a schedule to that clause.
- An application under any provision of this planning scheme to subdivide land in a bushfire prone area that is not in a Bushfire Management Overlay.
- An application under any provision of this planning scheme to construct a building or construct or carry out works associated with the use of land for accommodation, education centre, hospital, indoor recreation facility, major sports and recreation facility or place of assembly in a bushfire prone area that is not in a Bushfire Management Overlay.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

BAYSIDE PLANNING SCHEME

Type of application	Applicable provisions
An application under clause 44.06 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 53.02-3
An application under clause 44.06 to construct a non-habitable outbuilding ancillary to a dwelling that meets all of the requirements specified in Table 5. <i>Note: The objectives or measures specified for other kinds of applications under clause 53.02 do not apply to this kind of application.</i>	Clause 53.02-5 - Table 5
All other applications under clause 44.06 to construct a building or construct or carry out works.	Clause 53.02-4.1 Clause 53.02-4.2 Clause 53.02-4.3 Clause 53.02-4.5 Clause 53.02-4.6
An application under clause 44.06 to subdivide land.	Clause 53.02-4.4 Clause 53.02-4.6
An application to subdivide land, or to construct a building or construct or carry out works associated with the use of land for accommodation, education centre, hospital, indoor recreation facility, major sports and recreation facility or a place of assembly, in a bushfire prone area that is not in a Bushfire Management Overlay.	Clause 53.02-6

If an applicable provision specified in the table above refers to another provision, that provision also applies.

If another provision of this planning scheme applies, or requires compliances with, a provision in clause 53.02, including in relation to an application specified above, the provision applies as specified in that other provision.

53.02-2

05/05/2026
VC248

Operation

The provisions of clauses 53.02-3 and 53.02-4 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. Alternative measures do not apply to an application under clause 53.02-3.
- 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

05/05/2026
VC248

Dwellings in existing settlements – Bushfire protection objective

To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.

Approved measures

Measure	Requirement
AM 1.1	A building is sited to ensure the site best achieves the following: ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is close to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 1.2	A building is setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 in accordance with the corresponding distances.
AM 1.3	The setback between the building and the bushfire hazard is managed as an area of defensible space in accordance with the vegetation management requirements specified at Table 4 to clause 53.02-5 for the distance that satisfies AM 1.2 and the area is capable of being maintained in accordance with these requirements. If adjoining land is included in the setback, there is a reasonable assurance that the adjoining land will remain or continue to be managed in accordance with Table 4 to clause 53.02-5.
AM 1.4	A building is constructed to the bushfire attack level that corresponds to a setback that satisfies either: ▪ AM 1.2. ▪ The next lower bushfire attack level in accordance with Table 1 to clause 53.02-5 where all of the following apply: – A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018) is constructed on the same land as the dwelling. – A minimum bushfire attack level of BAL12.5 is provided in all circumstances.
AM 1.5	A building is provided with: ▪ A static water supply for fire fighting and property protection purposes specified in Table 2 to clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. ▪ Vehicle access that is designed and constructed as specified in Table 3 to clause 53.02-5.

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 site assessment, bushfire management statement and bushfire management plan submitted with the application.
- Whether all of the approved measures have been incorporated into the application and can be practically implemented and maintained in conjunction with the ongoing use of the land.

53.02-4

05/05/2026
VC248

Bushfire protection objectives

53.02-4.1

Landscape, siting and design objectives

To ensure development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

To site development to minimise the risk from bushfire.

To site development to provide safe access for vehicles, including emergency vehicles.

To ensure building design minimises vulnerability to bushfire attack.

Approved measures

Measure	Requirement
AM 2.1	The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.
AM 2.2	A building is sited to ensure the site best achieves the following: ▪ The maximum separation distance between the building and the bushfire hazard. ▪ The building is close to a public road. ▪ Access can be provided to the building for emergency service vehicles.
AM 2.3	A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.

53.02-4.2

Setbacks, defensible space and construction objective

The setbacks, defensible 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 is setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 and one of the following distances is met, for: ▪ a dwelling (including an extension or alteration to a dwelling), small second dwelling, industry, office, retail premises or warehouse, either:

BAYSIDE PLANNING SCHEME

Measure	Requirement
	– Columns A, B or C. – Column D if there are significant siting constraints. ▪ accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly, Column 0. The setback is provided wholly within the title boundaries of the land.
AM 3.2	The setback between the building and the bushfire hazard is managed as an area of defensible space in accordance with the vegetation management requirements specified at Table 4 to clause 53.02-5 for the distance that satisfies AM 3.1 and the area is capable of being maintained in accordance with these requirements.
AM 3.3	A building is constructed to the bushfire attack level that corresponds to the setback which satisfies AM 3.1. If the setback of more than one column in Table 1 to clause 53.02-5 applies, a building is constructed to the highest of the corresponding bushfire attack levels. If a higher bushfire attack level than specified above is required to respond to clause 53.02-4.1, a building is constructed to that higher bushfire attack level.

Alternative measures

Measure	Requirement
AltM 3.4	Adjoining land may be included within the setback where there is a reasonable assurance that the land will remain or continue to be managed in accordance with the defensible space vegetation management requirements at Table 4 to clause 53.02-5.
AltM 3.5	The setback and the bushfire attack level are determined using Method 2 of AS3959:2018 <i>Construction of buildings in bushfire prone areas</i> (Standards Australia) subject to any guidance published by the relevant fire authority.
AltM 3.6	A building used for a dwelling (including an extension or alteration to a dwelling) may provide a setback to the title boundary where it can be demonstrated that: ▪ The lot has access to urban, township or other areas where: – Protection can be provided from the impact of extreme bushfire behaviour. – Fuel is managed in a minimum fuel condition. – There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat. ▪ A lesser setback and a higher construction standard are appropriate having regard to the bushfire hazard landscape assessment. ▪ The dwelling is constructed to a bushfire attack level of BAL FZ. This alternative measure only applies where the requirements of AM 3.1, 3.2 and 3.3 cannot be met.
AltM 3.7	A building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly may provide a setback in accordance with Table 1 at clause 53.02-5 for the distances provided at Columns A, B or C where it can be demonstrated that: ▪ The requirements of AM 6.1 have been satisfied.

BAYSIDE PLANNING SCHEME

Measure	Requirement
	▪ A lesser setback and a higher construction standard are appropriate having regard to the bushfire hazard landscape assessment. ▪ The setback is managed as defensible space that meets the defensible space vegetation management requirements at Table 4 to clause 53.02-5 and is capable of being maintained in accordance with these requirements.

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, retail premises or warehouse is provided with: ▪ A static water supply for fire fighting and property protection purposes as specified at Table 2 to clause 53.02-5. ▪ Vehicle access that is designed and constructed as specified in Table 3 to clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.
AM 4.2	A building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly is provided with: ▪ A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres. ▪ Vehicle access that is designed and constructed as specified at Table 3 to clause 53.02-5. ▪ An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.
AM 4.3	All other development, other than where AM 4.1 or AM 4.2 applies, is provided with a static water supply with adequate capacity for fire fighting and property protection purposes and vehicle access in accordance with the relevant fire authority requirement.

53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of clauses 53.02-4.1, 53.02-4.2 and 53.02-4.3.

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.

BAYSIDE PLANNING SCHEME

Approved measures

Measure	Requirement
AM 5.1	An application to subdivide land, other than where AM 5.2 applies, demonstrates that each proposed lot is capable of meeting: ▪ The setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the distances provided at Columns A, B or C. ▪ AM 2.1, AM 2.2 and the approved measures at clause 53.02-4.3. The setback distance is capable of being managed as an area of defensible space in accordance with the defensible space vegetation management requirements specified at Table 4 and the area is capable of being maintained in accordance with these requirements.
AM 5.2	An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows: ▪ Each lot satisfies AM 2.1. ▪ A building envelope for a single dwelling on each lot that complies with AM 2.2 and is setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the distance provided at either: – Columns A or B of Table 1 to clause 53.02-5 for a subdivision that creates 10 or more lots. – Columns A, B or C of Table 1 to clause 53.02-5 for a subdivision that creates less than 10 lots. ▪ The bushfire attack level that corresponds to the setback in accordance with Table 1 to clause 53.02-5 is noted on the building envelope. ▪ Water supply and vehicle access that complies with AM 4.1. The setback distance is: ▪ Wholly contained within the boundaries of the proposed subdivision. The setback may be shared between lots within the subdivision and may utilise communal areas, such as roads. ▪ Managed as an area of defensible space that meets the defensible space vegetation management requirements specified at Table 4 to clause 53.02-5 and the area is capable of being maintained in accordance with these requirements. This includes any shared or communal areas within the setback.
AM 5.3	A subdivision of land to create 10 or more lots provides a perimeter road adjoining the bushfire hazard to separate future development from the bushfire hazard and to support fire fighting.
AM 5.4	A subdivision of land manages the bushfire risk to future development from existing or proposed landscaping, public open space, conservation areas (including vegetation links and corridors) and communal areas.
AM 5.5	A subdivision of land is provided with no fuel or low fuel features such as accessways, parking areas, hardstand areas, managed open spaces at the bushfire hazard interface and is oriented to protect future buildings from being impacted by a moving bushfire front.
AM 5.6	A staged subdivision of land manages interim bushfire hazards during the construction or staging.

Alternative measure

Measure	Requirement
AltM 5.7	A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show a setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the distances at Column C where it can be demonstrated that: - All other requirements of AM 5.2 have been met. - The setback is managed as an area of defensible space that meets the defensible space vegetation management requirements at Table 4 to clause 53.02-5 and the area is capable of being maintained in accordance with these requirements. - A lesser setback and a higher construction standard are appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5 Planning for vulnerable people objective

To ensure the bushfire risk associated with vulnerable people is managed effectively.

Approved measure

Measure	Requirement
AM 6.1	An application for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly assesses the impact of bushfire on vulnerable people and provides emergency management arrangements that respond to: - The risk arising from AM 2.1, the protection (if any) provided by the location in the broader landscape, and the need for a response that exceeds any of the measures of this clause. - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency. - The intended frequency and nature of occupation, including whether vulnerable people should avoid occupying development in bushfire affected areas at certain times. - The risk reduction provided through bushfire protection measures included within a bushfire and emergency management plan. - The mechanisms to secure ongoing implementation of bushfire protection measures.

53.02-4.6 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

GENERAL

- The Municipal Planning Strategy and the Planning Policy Framework.
- The bushfire hazard landscape assessment, the bushfire hazard site assessment, bushfire management statement and bushfire management plan 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 risk arising from the broader landscape can be mitigated to an acceptable level.

BAYSIDE PLANNING SCHEME

- Whether there is reliable access to areas of land where human life can be better protected from the effects of bushfire.
- The risk to property and community infrastructure from bushfire.
- 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 bushfire protection measures can be implemented without unacceptable biodiversity impacts.
- Whether the water supply and access arrangements are appropriate for the bushfire risk.

VEGETATION

- Whether the existing and proposed vegetation, and other fuel sources, respond to the separation distance between the bushfire hazard interface and the development.
- If vegetation is proposed, if it will cause or contribute to the bushfire hazard and increase the risk to life, property, or community infrastructure.

VULNERABLE PEOPLE

For a building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, leisure and recreation or place of assembly the responsible authority must also consider:

- The capacity for vulnerable occupants to evacuate.
- Whether the water supply and access arrangements have regard to the characteristics of the vulnerable occupants.
- Whether there is reasonable assurance that the emergency management arrangements will be ongoing and protect human life.
- Whether the risk to vulnerable occupants warrants the closure of the use or development on days of elevated fire danger.
- Whether measures to shelter in place are warranted and whether the measures will protect human life.
- The net benefit provided to any existing vulnerable people.

SUBDIVISION

- Whether a staged subdivision manages interim bushfire hazard during the construction or staging.
-

53.02-5

05/05/2026
VC248

Tables of bushfire planning requirements

Table 1 Bushfire hazard setbacks

Slope	Vegetation Types	Column 0	Column A	Column B	Column C	Column D	Column E
All upslopes and flat land (0 degrees)	Forest	60	48	35	25	19	< 19
	Woodland	40	33	24	16	12	< 12
	Scrub	35	27	19	13	10	< 10
	Shrubland	25	19	13	9	7	< 7
	Mallee/ Mulga	23	17	12	8	6	< 6
	Rainforest	30	23	16	11	8	< 8
	Grassland	35	19	13	9	6	< 6
Downslope >0 to 5 degrees	Forest	70	57	43	32	24	< 24
	Woodland	50	41	29	21	15	< 15
	Scrub	40	31	22	15	11	< 11
	Shrubland	28	22	15	10	7	< 7
	Mallee/ Mulga	26	20	13	9	7	< 7
	Rainforest	36	29	20	14	10	< 10
	Grassland	40	22	15	10	7	< 7
Downslope >5 to 10 degrees	Forest	85	69	53	39	31	< 31
	Woodland	62	50	37	26	20	< 20
	Scrub	45	35	24	17	12	< 12
	Shrubland	32	25	17	11	8	< 8
	Mallee/ Mulga	30	23	15	10	7	< 7
	Rainforest	46	36	26	18	13	< 13
	Grassland	45	25	17	11	8	< 8
Downslope >10 to 15 degrees	Forest	105	82	64	49	39	< 39
	Woodland	75	60	45	33	25	< 25
	Scrub	50	39	28	19	14	< 14
	Shrubland	36	28	19	13	9	< 9
	Mallee/ Mulga	35	26	18	11	8	< 8
	Rainforest	60	45	33	23	17	< 17
	Grassland	50	28	20	13	9	< 9
Downslope >15 to 20 degrees	Forest	125	98	78	61	50	< 50
	Woodland	95	73	56	41	32	< 32
	Scrub	55	43	31	21	15	< 15
	Shrubland	41	31	22	15	10	< 10

BAYSIDE PLANNING SCHEME

Slope	Vegetation Types	Column 0	Column A	Column B	Column C	Column D	Column E
	Mallee/ Mulga	40	29	20	13	9	< 9
	Rainforest	70	56	42	29	22	< 22
	Grassland	55	32	23	15	11	< 11
		BAL 12.5	BAL 12.5	BAL 19	BAL 29	BAL 40	BAL FZ
Downslope >20 degrees	All vegetation	The setback and the bushfire attack level is determined using Method 2 of AS3959:2018 <i>Construction of buildings in bushfire prone areas (Standards Australia)</i> subject to any guidance published by the relevant fire authority.					
All slopes	Low threat vegetation	A setback is 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	A setback 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.					

Table 1 notes

- The setback is measured from the building façade and is managed or meets the requirements of Table 4 to clause 53.02-5.*
- Slope and vegetation type are determined through the bushfire hazard site assessment.*
- Modified vegetation is vegetation that does not fit into the vegetation classifications in AS3959:2018 Construction of buildings in bushfire prone areas 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 Water supply capacity, fittings and access requirements

Lot sizes (square meters)	Hydrant available	Capacity (litres)	Fire authority fittings and access required
Less than 500	Not applicable	2,500	No
500-1,500	Yes	5,000	No
500-1,500	No	10,000	Yes
1,501 and above	Not applicable	10,000	Yes

Table 2 note

A hydrant is available if it is located within 120 metres of the rear of the building.

Table 2 Water supply 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:

BAYSIDE PLANNING SCHEME

- 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 Country Fire Authority (CFA) 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 3 Vehicle access design and construction requirements

Access	Design and construction
Length of access is less than 30 metres and no fire authority access is required at Table 2.	Not required
Length of access is one of the following: ▪ less than 30 metres and fire authority access is required at Table 2. ▪ greater than 30 metres.	The following design and construction requirements apply: ▪ All-weather construction. ▪ A load limit of at least 15 tonnes. ▪ Provide a minimum trafficable width of 3.5 metres. ▪ Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically. ▪ Curves must have a minimum inner radius of 10 metres. ▪ The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres. ▪ Dips must have no more than a 1 in 8 (12.5%) (7.1°) entry and exit angle.
Length of access is greater than 100 metres.	A turning area for fire fighting vehicles must be provided close to the building by one of the following: ▪ A turning circle with a minimum radius of eight metres. ▪ A driveway encircling the dwelling. ▪ The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroads Design for an 8.8 metre Service Vehicle.
Length of access is greater than 200 metres.	▪ Passing bays must be provided at least every 200 metres. ▪ Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.

Table 3 note The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

Table 4 Defendable space vegetation management requirements

Defendable space is provided and is managed on a continuing basis in accordance with the following requirements: ▪ Grass must be short cropped and maintained during the declared fire danger period. ▪ All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period. ▪ Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
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- 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. For a non-habitable outbuilding ancillary to a dwelling, the canopy of trees must be separated by at least 2 metres.
 - There must be a clearance of at least 2 metres between the lowest tree branches and ground level.
- These requirements apply unless an alternative defensible space vegetation management requirement is specified in a schedule in this planning scheme and the application meets all of the requirements of the schedule or is otherwise agreed in writing to the satisfaction of the relevant fire authority.
-

Table 5 Non-habitable outbuilding requirements

The outbuilding must meet all of the following requirements:

- The outbuilding is non-habitable and ancillary to a dwelling.
 - The defensible space vegetation management requirements, in accordance with Table 4 to clause 53.02-5, must be provided for 10 metres around the outbuilding or to the title boundary, whichever is the lesser distance.
 - If the outbuilding is located within 10 metres of a dwelling:
 - The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and either:
 - has a Fire Resistance Level (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.
 - is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.
 - Any openings in the wall shall be protected in accordance with the following:
 - i. Doorways – by FRL -/60/30 self-closing fire doors.
 - ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position.
 - iii. Other openings – by construction with a FRL of not less than -/60/-.
-

Table 5 notes

1. Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.
2. Applications that meet Table 5 to clause 53.02-5 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.

53.02-6

05/05/2026
VC248

Bushfire prone area decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

GENERAL

- The Municipal Planning Strategy and the Planning Policy Framework.
-

BAYSIDE PLANNING SCHEME

- 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.
- The risk of bushfire to people, property and community infrastructure.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level.
- Whether bushfire protection measures to address the identified bushfire risk are required and can be practically implemented, including any measure set out in clause 53.02-4.
- Whether bushfire protection measures can be implemented without unacceptable biodiversity impacts.

PROPOSED VEGETATION

- If vegetation is proposed, whether it will cause or contribute to the bushfire hazard or increase the risk to life, property, or community infrastructure.

DWELLINGS AND SMALL SECOND DWELLINGS

- Whether a static water supply for bushfire firefighting is required having regard to the size of the lot, proximity to a hydrant and connection to reticulated water.
- If a vehicle accessway is greater than 30 metres in length or the relevant fire authority requires access to the static water supply on the land, whether the access design and construction requirements set out in Table 3 to clause 53.02-5 should be met.

VULNERABLE PEOPLE

For a building used for accommodation (other than a dwelling or small second dwelling), education centre, hospital, indoor recreation facility, major sports and recreation facility or place of assembly the responsible authority must also consider:

- The capacity for vulnerable occupants to evacuate.
- Whether emergency management arrangements are provided and are sufficient for the site.
- Whether the risk to vulnerable occupants warrants the closure of the use or development on days of elevated fire danger.
- Whether measures to shelter in place are warranted and whether the measures will protect human life.
- The net benefit provided to any existing vulnerable people.

SUBDIVISION

- Whether each lot can achieve the setback from the bushfire hazard in accordance with the vegetation type and slope set out in Table 1 to clause 53.02-5 for the corresponding distance specified in Column C of that Table.
 - Whether a staged subdivision manages interim bushfire hazard during the construction or staging.
-

53.0301/01/2024
VC250**RESIDENTIAL RETICULATED GAS SERVICE CONNECTION****Purpose**

To prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

53.03-101/01/2024
VC250**Application**

This clause applies to an application for a permit under any provision of this scheme that is for or includes:

- construction of a new dwelling (other than a caretaker's house) or a new apartment development.
- the subdivision of land where the subdivision provides for or is for one or more purposes that include residential development.

This clause does not apply to an application for a permit that is solely for:

- the alteration or extension of an existing dwelling or apartment development.
- the subdivision of land or a building to create lots each containing an existing dwelling or apartment.
- the subdivision of land or a building to create lots each of which are intended to contain a dwelling or an apartment authorised by a planning permit that has been issued for the land.

53.03-201/01/2024
VC250**Building and works requirement**

A permit must not be granted for construction of a new dwelling or a new apartment development that is to be connected to a reticulated gas service.

A permit granted for buildings and works in relation to an application to which this clause applies must include the following mandatory condition(s) as relevant:

For a dwelling:

"Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."

For an apartment development:

"Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."

53.03-301/01/2024
VC250**Subdivision requirement**

A permit must not be granted for a subdivision that includes a lot that is to be connected to a reticulated gas service. This does not apply to:

- a lot that will not be used for, or include, a dwelling; or
- a lot that contains an existing dwelling or apartment; or
- a lot where a permit has been granted for a dwelling or apartment on the land in the lot.

A permit granted for subdivision in relation to an application to which this clause applies must include the following mandatory condition:

"Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:

- a lot that will not be used for, or include, a dwelling; or
-

- *a lot that contains an existing dwelling or apartment; or*
- *a lot where a permit has been granted for a dwelling or apartment on the land in the lot.*

This condition continues to have force and effect after a statement of compliance under the Subdivision Act 1988 has been issued and the subdivision authorised by this permit has been completed."

53.03-4

01/01/2024
VC250

Application requirements

An application for a permit to which this clause applies must, in addition to those application requirements specified elsewhere in the scheme, be accompanied by details of the proposed energy provision other than a connection to a reticulated gas service, as appropriate, to the satisfaction of the responsible authority.

53.03-5

01/01/2024
VC250

Transitional provisions

The requirements of this clause introduced by Amendment VC250 do not apply to:

- An application lodged before the approval date of Amendment VC250.
- An application for an amendment to a permit under section 72 of the Act with respect to a permit issued in accordance with the above transitional provision.

53.03-6

01/01/2024
VC250

Definitions

In this clause:

Connected to a reticulated gas service means:

- In the case of a building, reticulated natural gas is directly supplied to the building. This does not include liquefied petroleum gas (LPG).
- In the case of a subdivision for residential purposes, reticulated natural gas is directly supplied to a lot. This does not include liquefied petroleum gas (LPG).

New dwelling means:

- A new building, buildings, or part of a building, constructed to be used as a dwelling (other than a caretaker's house) not including the alteration or extension of an existing dwelling.
- A new building, buildings, or part of a building, connected to an existing dwelling and constructed to be used as a separate dwelling (other than a caretaker's house), provided the use does not incorporate any part of what was the gross floor area (excluding external or party walls) of the existing dwelling.
- A new outbuilding or swimming pool associated with an existing or proposed dwelling, provided it is not within the gross floor area (excluding external or party walls) of an existing dwelling.

It does not include a new apartment development.

New apartment development means a new building, buildings, or part of a building, constructed to contain one or more apartments, whether or not any other use is provided for, but does not include the extension or alteration of, or the addition of new apartments to, an existing apartment development.

53.04

31/07/2018
VC148

CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

53.04-1

31/07/2018
VC148

Application

These requirements only apply to land in a residential zone.

53.04-2

20/01/2022
VC205

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
 - Amenity of the neighbourhood.
 - Proximity of the land to non-residential uses and zones.
 - Effect of the use on heritage and environment features.
 - Capacity of the land to contain significant off-site effects.
 - Access to land in a Transport Zone 2 or Transport Zone 3.
 - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
 - Massing and proportions of any building.
 - Ground floor height above ground level.
 - Ceiling heights.
 - Roof form and pitch.
 - Facade articulation.
 - Window and door proportions.
 - Building features including verandas, towers, eaves, parapets and decorative elements.
 - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
 - Provide safe pedestrian movement.
 - Achieve safe, efficient vehicle movement on site and access to and egress from the land.

BAYSIDE PLANNING SCHEME

- Avoid disruption to traffic flow on land in a Transport Zone 2 or Transport Zone 3.
 - Prevent inappropriate use of local residential streets.
 - The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
-

53.0514/05/2021
VC198**FREEWAY SERVICE CENTRE****Purpose**

To ensure that freeway service centres are appropriately designed and located.

To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Head, Transport for Victoria.

To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.

To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.

To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

53.05-114/08/2023
VC236**Requirements to be met****Facilities and services**

A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres

No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.

An application to use or develop land for a freeway service centre must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.02.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the person or body specified as the referral authority in Clause 66.02.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

Metropolitan freeway service centre adjoining a residential zone

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

53.05-2

31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
 - The Freeway Service Centres Design Guidelines, May 1997.
-

53.0628/09/2020
VC183**LIVE MUSIC ENTERTAINMENT VENUES****Purpose**

To recognise that live music is an important part of the State's culture and economy.

To encourage the retention of existing and the development of new live music entertainment venues.

To protect live music entertainment venues from the encroachment of noise sensitive residential uses.

To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.

To ensure that the primary responsibility for noise attenuation rests with the agent of change.

53.06-128/09/2020
VC183**Application**

This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- A live music entertainment venue.
- A noise sensitive residential use that is within 50 metres of a live music entertainment venue.
- A noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause

This clause does not apply to:

- The extension of an existing dwelling.
- A noise sensitive residential use that is in an area specified in clause 2.0 of the schedule to this clause.

53.06-214/12/2023
VC253**Meaning of terms**

In this clause:

- ***live music entertainment venue*** means:
 - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
 - a rehearsal studio
 - any other venue used for the performance of music and specified in clause 3.0 of the schedule to this clause, subject to any specified condition or limitation.
- ***noise sensitive residential use*** means a community care accommodation, dwelling, residential aged care facility, residential village, retirement village, rooming house or small second dwelling.

53.06-304/05/2022
VC210**Requirements to be met**

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- Indoor live music entertainment venue to below the noise limits specified in the Environment Protection Regulations under the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826, Environment Protection Authority, November 2020)
- Outdoor live music entertainment venue to below 45dB(A), assessed as an L_{eq} over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (consistent with EPA Publication 1826).

A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

53.06-4

28/09/2020
VC183

Application requirements

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

- A site analysis, including plans detailing:
 - the existing and proposed layout of the use, buildings or works, including all external windows and doors
 - the location of any doors, windows and open space areas of existing properties in close proximity to the site.
- If the application is associated with a noise sensitive residential use:
 - the location of any live music entertainment venues within 50 metres of the site
 - the days and hours of operation of identified venues.
- If the application is associated with a live music entertainment venue:
 - the location of any noise sensitive residential uses within 50 metres of the site
 - the days and hours of operation of that venue
 - the times during which live music will be performed.
- Details of existing and proposed acoustic attenuation measures.
- An assessment of the impact of the proposal on the functioning of live music venues.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

53.06-5

28/09/2020
VC183

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The extent to which the siting, layout, design and construction minimise the potential for noise impacts.
 - Whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
 - Whether the proposal adversely affects any existing uses.
 - The social and economic significance of an existing live music entertainment venue.
 - The impact of the proposal on the functioning of live music venues.
-

18/02/2021
GC175

SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES**1.0**

04/05/2022
VC210

Areas to which Clause 53.06 does apply

Name of area	Description
None specified	

2.0

04/05/2022
VC210

Areas to which Clause 53.06 does not apply

Name of area	Description
None specified	

3.0

04/05/2022
VC210

Other venues to which Clause 53.06 applies

Name of venue	Address	Condition or limitation
None specified		

53.0731/07/2018
VC148**SHIPPING CONTAINER STORAGE****Application**

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

53.07-120/01/2022
VC205**Decision guidelines**

Before deciding on an application to use land for shipping container storage, or construct a building or construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
 - The zoning of the land.
 - Amenity of the neighbourhood.
 - Proximity of the land to residential uses and zones or other sensitive uses.
 - Access to a road in a Transport Zone 2 or a Transport Zone 3.
 - Access to rail facilities.
 - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
 - Capacity of the site to accommodate the proposed use.
 - The effect on the environment and the amenity and character of the neighbourhood having regard to:
 - Existing and planned use of land in the neighbourhood.
 - Location, height and setback of shipping container stacks, particularly near road boundaries.
 - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
 - Hours of operation.
 - Design, construction and maintenance of external storage and vehicle movement areas.
 - Treatment and disposal of wastewater.
 - Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.
 - Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.
 - The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.
 - The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.
 - The adequacy of traffic measures to:
-

BAYSIDE PLANNING SCHEME

- Achieve safe, efficient vehicle movement on site and access to and egress from the land.
 - Prevent inappropriate use of local residential streets.
 - The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.
-

53.08

31/07/2018
VC148

CATTLE FEEDLOT

Purpose

To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

53.08-1

31/07/2018
VC148

Requirements to be met

All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.

53.09

11/04/2019
VC156

POULTRY FARM

Purpose

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.09-1

21/09/2018
VC150

Application

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

53.09-2

21/09/2018
VC150

Permit not required – Outdoor range area for existing broiler farm

Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

53.09-3

21/09/2018
VC150

Requirement – Broiler farm

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

53.09-4

11/04/2019
VC156

Exemption from notice and review

The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.
- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
 - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
 - The outdoor stocking density does not exceed 1,500 chickens per hectare.
 - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
 - A minimum of 50% ground cover; and
 - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
 - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.

Table 1 Minimum setbacks

Chicken numbers	Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)	Minimum distance to land in a residential zone
1,000 chickens or less	50 metres	200 metres
More than 1,000 chickens	100 metres	400 metres

53.09-521/09/2018
VC150**Notice of an application**

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

53.09-621/09/2018
VC150**Decision guidelines**

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).

53.1026/05/2020
VC175**USES AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS****Purpose**

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

53.10-126/09/2023
VC246**Threshold distance**

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

Table to Clause 53.10-1

Type of use or activity (purpose)	Threshold distance (metres)
Basic metal products	
Iron or steel production:	
▪ up to 1,000,000 tonnes per year	500
▪ exceeding 1,000,000 tonnes per year	1,000
Non-ferrous metal production:	
▪ up to 100 tonnes per year	100
▪ between 100 and 2,000 tonnes per year	300
▪ exceeding 2,000 tonnes per year	500
▪ aluminium by electrolysis	2,000
Chemical, petroleum and coal products	
Ammunition, explosives and fireworks production	1,000
Biocides production and storage	1,000
Briquette production	300
Chemical product manufacture other than listed within this group	300
Coke processing	500
Cosmetics and toiletries production	100

BAYSIDE PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Fertiliser production	1,000
Gasworks	1,000
Industrial gases production	1,000
Organic and inorganic industrial chemicals production other than those listed within this group	2,000
Other petroleum or coal production	500
Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year	500
Petroleum refinery	2,000
Pharmaceutical and veterinary chemical production	1,000
Polyester and synthetic resins production, exceeding 2,000 tonnes per year	1,000
Rubber production:	
▪ synthetic rubber, exceeding 2,000 tonnes per year	1,000
▪ using either organic solvents or carbon black	300
▪ using sulphur	1,000
Soap and detergent production	500
Fabricated metal products	
Abrasive blast cleaning	500
Boiler maker	100
Metal coating and finishing	500
Structural or sheet metal production	500
Food and beverages	
Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day	500
Animal processing	1,000
Bakery (other than one ancillary to a shop):	
▪ exceeding 200 tonnes per year	100
▪ night-time operations, exceeding 200 tonnes per year	500
Flour mill, exceeding 200 tonnes per year	250
Food production other than those listed within this group:	
▪ exceeding 200 tonnes per year	250

BAYSIDE PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
including frying, drying or roasting, exceeding 200 tonnes per year	500
Grain and stockfeed mill and handling facility	
with meat meals or tallow	500
no meat meals or tallow	250
Maltworks, exceeding 200 tonnes per year	500
Manufacture of milk products, exceeding 200 tonnes per year	300
Milk depot	100
Pet food production	500
Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year	500
Seafood processor, exceeding 200 tonnes per year	500
Smallgoods production:	
exceeding 200 tonnes per year	100
including smoking and drying, exceeding 200 tonnes per year	500
Miscellaneous manufacturing	
Printing and coating works with heated curing ovens	500
Rendering and casings works	1,000
Non-metallic mineral products	
Bitumen batching plant	1,000
Cement production in amounts:	
up to 5,000 tonnes per year	300
between 5,000 and 150,000 tonnes per year	500
exceeding 150,000 tonnes per year	1,000
Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year:	500
Concrete batching plant, with a production rate exceeding 5,000 tonnes per year	300
Glass and glass production including glass wool and fibreglass	500
Plaster or plaster articles production, exceeding 5,000 tonnes per year	200
Rock wool manufacture	500

BAYSIDE PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Solar salt manufacture	1,000
Other premises	
Automotive body, paint and interior repair	100
Rural industry handling, processing or packing agricultural produce	300
Paper and paper products	
Paper or paper pulp production:	
▪ involving combustion of sulphur or sulphur containing materials	5,000
▪ from semi-processed materials	100
▪ from prepared cellulose and rags	200
▪ by other methods than above	None specified
Recreational, personal and other services	
Dry cleaning for commercial and institutional customers, or in bulk quantities	100
Laundry for commercial and institutional customers, or in bulk quantities	100
Textiles	
Carpet backing with latex	500
Dyeing or finishing of cotton, linen and woollen yarns and textiles	300
Leather and artificial leather goods production	300
Leather tanning and dressing:	
▪ up to 250 tonnes per year	300
▪ exceeding 250 tonnes per year	2,000
Rope, cordage and twine production	100
Treatment or production of natural and synthetic fibres and textiles	1,000
Treatment or production of textiles using carbon disulphide	500
Wool scouring	200
Transport and storage	
Bus depot	200
Depot for refuse collection vehicles	100
Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes	1,000

BAYSIDE PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:	
▪ with fixed roofs	300
▪ with floating roofs	100
Storage of wet-salted or unprocessed hides	250
Waste, recycling and resource recovery	
Chemical or oil recycling	1,000
Combustion, treatment or bio-reaction of waste to produce energy	None specified
Composting and other organic materials recycling	None specified
Container deposit scheme centre exceeding 1,000 square metres gross floor area	200
Hazardous waste storage or treatment	1,000
Landfill	None specified
Other recourse recovery or recycling operations	None specified
Soil conditioning or blending	None specified
Transfer station (other than Automated collection point and Container deposit scheme centre):	
▪ accepting organic wastes	500
▪ other	200
Used plastics treatment or processing	500
Waste tyre recycling and re-treading	1,000
Vehicle recycling or disposal	500
Water and wastewater	
Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day	None specified
Water treatment plant	None specified
Wood, wood products and furniture	
Charcoal production:	
▪ by the retort process	500
▪ other than by the retort process	1,000
Joinery	100

BAYSIDE PLANNING SCHEME

Type of use or activity (purpose)	Threshold distance (metres)
Sawmill, wood products and furniture	500
Wood preservation plant:	
up to 10,000 cubic metres of timber per year	100
exceeding 10,000 cubic metres of timber per year	300

53.1131/07/2018
VC148**TIMBER PRODUCTION****53.11-1**31/07/2018
VC148**Timber production on Crown land**

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the *Forests Act 1958* and the *Sustainable Forests (Timber) Act 2004*, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forest and Lands Act 1987*), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

53.11-220/03/2023
VC229**Timber production to comply with the Code of Practice for Timber Production**

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022). In accordance with Section 6(4A) of the *Planning and Environment Act 1987*, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

53.11-331/07/2018
VC148**Road repairs**

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the *Road Management Act 2004*.

53.11-431/07/2018
VC148**Decision guidelines**

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

BAYSIDE PLANNING SCHEME

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
 - The role of native forest and plantations in:
 - Protecting water quality.
 - Conserving flora and fauna.
 - Preventing land degradation, including soil erosion, salinisation and water logging.
 - Preventing adverse effects on groundwater recharge.
 - The preservation of and impact on the natural environment, cultural heritage and visual amenity.
 - Whether it is appropriate to require environmental protection standards greater than those in the Code.
-

53.12

08/08/2019
VC159

RACING DOG HUSBANDRY

Purpose

To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

53.12-1

08/08/2019
VC159

Requirement

An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017).

This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

53.12-2

31/07/2018
VC148

Exemption from notice and review

An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017) are met.

53.1317/09/2019
VC161**RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)****Purpose**

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

53.13-117/09/2019
VC161**Application**

This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

53.13-201/07/2021
VC203**Application requirements**

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

- A site and context analysis, including:
 - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
 - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.
 - A design response, including:
 - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
 - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
 - The extent of vegetation removal and a rehabilitation plan for the site.
 - Written report and assessment, including:
 - An explanation of how the proposed design derives from and responds to the site analysis.
 - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
 - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
 - the effect of traffic to be generated on roads.
 - the impact upon Aboriginal or non-Aboriginal cultural heritage.
 - the impact of the proposal on any species listed under the *Flora and Fauna Guarantee Act 1988* or *Environment Protection and Biodiversity Conservation Act 1999*.
 - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
 - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.
-

53.13-3

28/10/2022
VC224

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land.
- The impact of the proposal on the protection of declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, October 2022).

53.13-4

17/09/2019
VC161

Amendment VC161 transitional provisions

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

53.1431/07/2018
VC148**RESOURCE RECOVERY****Purpose**

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

53.14-131/07/2018
VC148**Application**

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

53.14-201/07/2021
VC203**Application requirements**

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
 - Identification of the purpose of the use.
 - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
 - Proposed hours of operation.
 - Likely traffic generation including heavy vehicles.
 - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- An assessment of:
 - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
 - The impact of traffic generation on local roads.

53.14-328/04/2026
VC232**Decision Guidelines**

Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
 - The impact of the proposal on the amenity of the surrounding area.
 - The *Victorian Recycling Infrastructure Plan* (Department of Energy, Environment and Climate Action, October 2024).
 - Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environment Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
-

53.15

31/07/2018
VC148

STATEMENT OF UNDERLYING PROVISIONS

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the *Planning and Environment Act 1987* if the land had not been reserved for that purpose.

53.15-01

31/07/2018
VC148

Application

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

1.0

31/07/2018
VC148

Incorporated statement

Land	Incorporated Document
None specified	None specified

53.1611/04/2019
VC156**PIG FARM****Purpose**

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.16-121/09/2018
VC150**Application**

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

53.16-204/05/2022
VC210**Exemption from notice and review**

An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
 - A minimum of 50% ground cover; and
 - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
 - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
 - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Gilt	100 – 160	24 -30	1.8
Boar	100 – 300	24 – 128	1.6
Gestating sow	160 – 230	-	1.6
Lactating sow	160 – 230	-	2.5
Sucker	1.4 – 8	0 – 4	0.1
Weaner	8 – 25	4 – 10	0.5
Grower	24 – 55	10 – 16	1.0
Finisher	55 – 100	16 – 24	1.6

BAYSIDE PLANNING SCHEME

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Heavy Finisher	100 – 130	24 -30	1.8

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

53.16-3

21/09/2018
VC150

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).

53.17

14/12/2023
VC253

RESIDENTIAL AGED CARE FACILITY

Purpose

To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.

To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.

To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings or small second dwellings.

53.17-1

25/02/2025
VC257

Application

This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

53.17-2

26/10/2018
VC152

Application requirements

An application must be accompanied by:

- A site and context description.
- A design response.
- A landscape plan.

Site and context description

The site and context description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response

The design response must explain how the proposed design:

- Responds to the site and context description.
 - Meets the requirements of this clause.
-

Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

53.17-3

25/02/2025
VC257

Development requirements

Operation

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

In the Housing Choice and Transport Zone the maximum building height must not exceed:

- 21.5 metres for land shown on a planning scheme map as **HCTZ1**.
- 16 metres for land shown on a planning scheme map as **HCTZ2**.

Street setback

Walls of buildings should be set back from streets the distance specified in the table:

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall	Front walls of new development fronting the side street of a corner site should be setback at

BAYSIDE PLANNING SCHEME

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 4 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

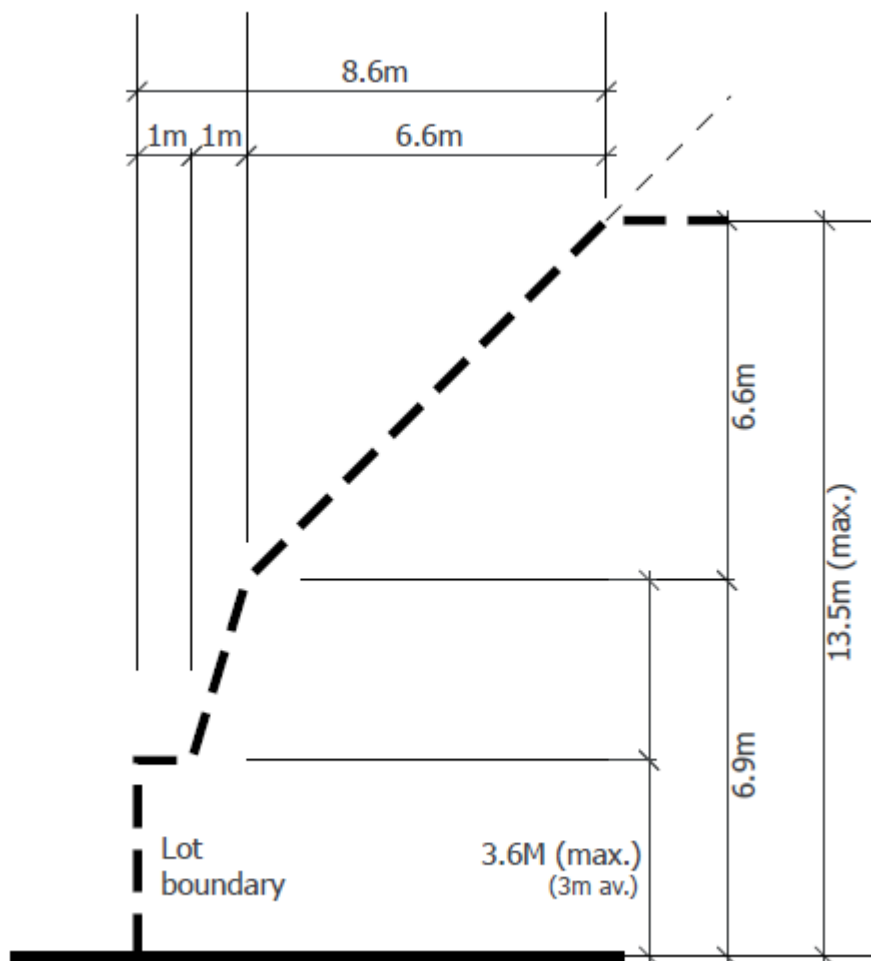
Side and rear setbacks

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

BAYSIDE PLANNING SCHEME



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.

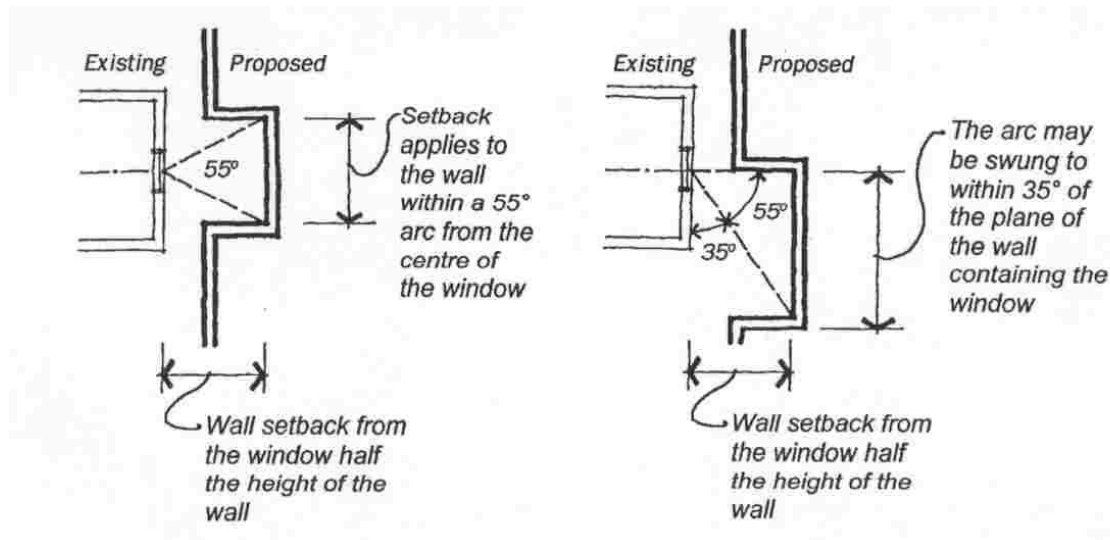
Daylight to existing windows

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.

BAYSIDE PLANNING SCHEME

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.

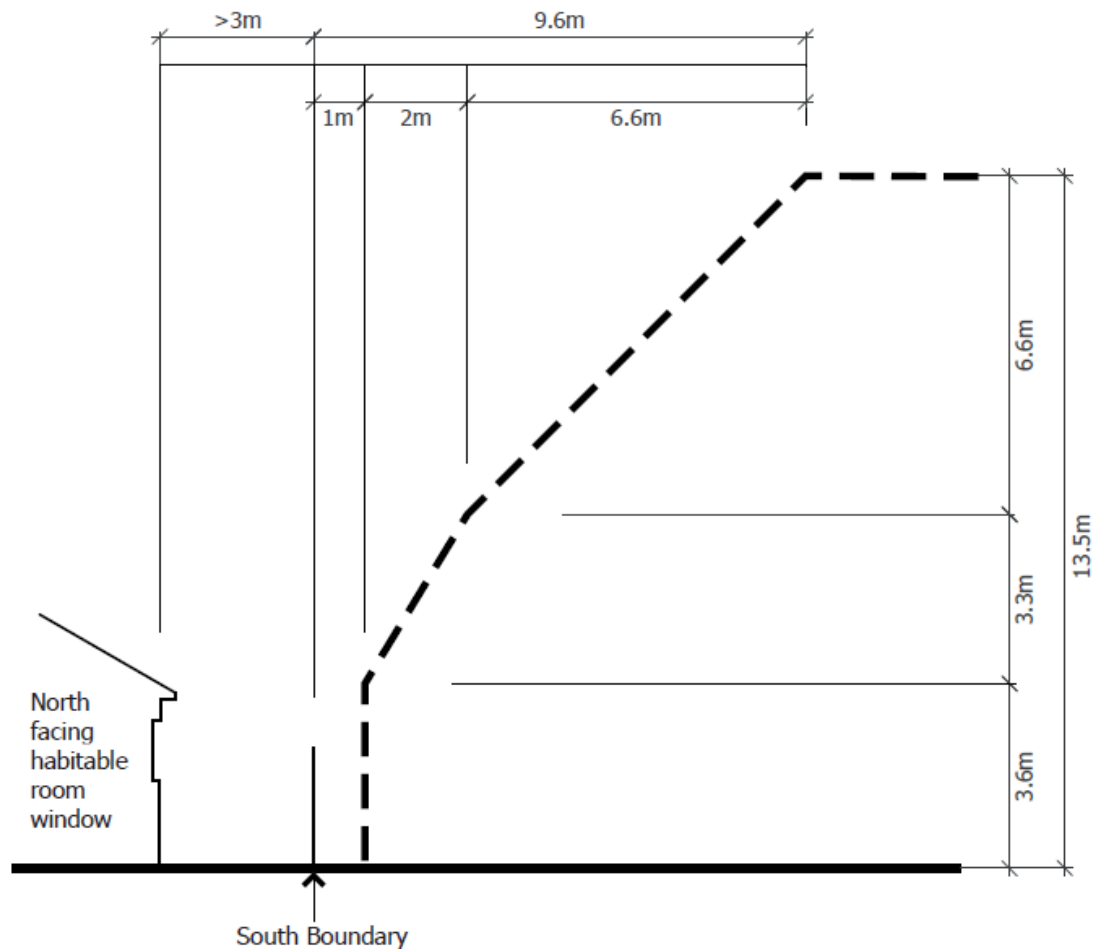
Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.



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.

BAYSIDE PLANNING SCHEME



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:

BAYSIDE PLANNING SCHEME

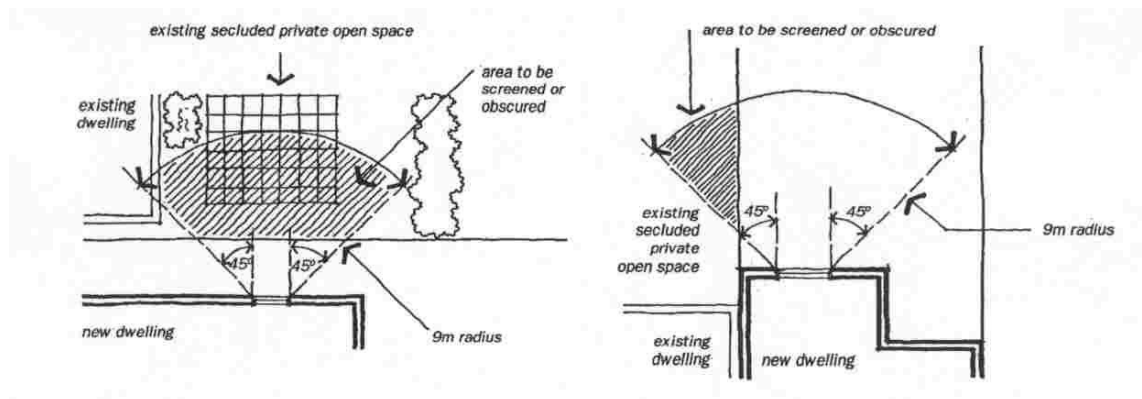
- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres 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.

BAYSIDE PLANNING SCHEME

- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

Building entry

The main pedestrian entry to a building should:

- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

Communal open space

Accessible and useable communal open space should be provided for residents and staff.

Front fence

A front fence within 3 metres of a street should not exceed:

- 2 metres in height in streets in a Transport Zone 2; and
- 1.5 metres in height on all other streets.

53.17-4

14/12/2023
VC253

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
 - How the proposed development responds to the site and context description.
 - Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings or small second dwellings.
 - The proposed amenity for future residents of the residential aged care facility.
 - The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.
-

53.1826/10/2018
VC154**STORMWATER MANAGEMENT IN URBAN DEVELOPMENT****Purpose**

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

53.18-128/10/2022
VC224**Application**

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Transport Zone 2, Transport Zone 3, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone (Part A – No precinct structure plan applies).
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
 - The lot was created in accordance with a permit granted under this planning scheme.
 - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Transitional provisions

Clause 53.18 of this scheme, as in force immediately before the approval date of Amendment VC224, continues to apply to:

- An application for a planning permit lodged before that date.
 - An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.
-

53.18-2

26/10/2018
VC154

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3

26/10/2018
VC154

Requirements

An application to subdivide land:

- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4

04/02/2026
VC265

Stormwater management objectives for subdivision

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1

The stormwater management system should be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
 - Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
 - Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater management guidance* (Environment Protection Authority - Publication 1739.1, 2021).
 - Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
 - Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
-

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedance Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

53.18-5

04/02/2026
VC265

Stormwater management objectives for buildings and works

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

Standard W2

The stormwater management system should be designed to:

- Meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater management guidance* (Environment Protection Authority - Publication 1739.1, 2021).
 - Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
 - Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.
-

53.18-6

26/10/2018
VC154

Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.

Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

53.18-7

26/10/2018
VC154

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
 - The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
 - Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
 - Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
 - The capacity of the drainage network to accommodate additional stormwater.
 - Whether the stormwater treatment areas can be effectively maintained.
 - Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
-

53.19

03/12/2019
VC165

NON-GOVERNMENT SCHOOLS

Purpose

To facilitate new non-government schools.

To facilitate upgrades and extensions to existing non-government schools.

53.19-1

04/12/2020
VC180

Application

This clause applies to an application under any provision of this scheme, other than a VicSmart application, to use or develop land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school.

53.19-2

04/12/2020
VC180

Exemption from review

An application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

53.19-3

04/12/2020
VC180

Transitional provisions

Clause 53.19 of this scheme, as in force immediately before the approval date of Amendment VC180, continues to apply to:

- An application for a planning permit made before that date.
 - An application for an amendment of a permit under section 72 of the Act, if the original permit application was made before that date.
-

53.2014/12/2023
VC253**HOUSING BY OR ON BEHALF OF HOMES VICTORIA****Purpose**

To facilitate the development of well-designed social housing and affordable housing to meet existing and future needs.

To increase the social housing and affordable housing stock in Victoria.

To ensure the development of housing by or on behalf of the Chief Executive Officer, Homes Victoria does not unreasonably impact on the amenity of adjoining dwellings or small second dwellings.

53.20-104/02/2026
VC265**Application**

This clause applies to an application under a provision of a residential zone (other than the Low Density Residential Zone) to construct or extend a dwelling, or to construct or extend a front fence, if the application is made by or on behalf of the Chief Executive Officer, Homes Victoria.

This clause does not apply to an application that meets the requirements of clause 53.23-1 or clause 53.24-1.

In this clause, **Chief Executive Officer, Homes Victoria** means ‘Chief Executive Officer, Homes Victoria’ as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*.

53.20-214/12/2023
VC253**Operation**

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

An application to construct or extend a dwelling, or to construct or extend a front fence, should meet the standards in Clause 53.20-6.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, should meet the standards in Clause 53.20-6 and Clause 53.20-7 except for the standard in:

- Clause 53.20-6.5.
- Clause 53.20-6.10 for an apartment development of 5 or more storeys.

The standards in Clause 53.20-6 and Clause 53.20-7 should normally be met. However, an alternative design solution may be considered if the responsible authority is satisfied that the proposal does not unreasonably impact on the amenity of an existing dwelling or small second dwelling on the site or on an adjacent site.

53.20-304/02/2026
VC265**Exemption from planning scheme provisions**

The following provisions of this planning scheme do not apply:

- The Municipal Planning Strategy or Municipal Strategic Statement and the Planning Policy Framework.
 - An application requirement or decision guideline of a zone.
 - A requirement to meet Clauses 54, 55, 57 and 58.
 - A schedule to a zone except for a specified building height requirement.
 - Clauses 52.06 and 65.
-

53.20-4

20/12/2021
VC207

Exemption from notice and review

An application under any provision of this scheme is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

53.20-5

20/03/2023
VC229

Application requirements

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

- Where the application is made on behalf of the Chief Executive Officer, Homes Victoria, a letter from Homes Victoria confirming that the application is made on behalf of the Chief Executive Officer, Homes Victoria.
- An urban context report. The urban context report may use a site plan, photographs or other techniques and must include an accurate description of:
 - Lot boundaries, site shape, size, orientation and easements on the subject site.
 - Levels and contours of the site and the difference in levels between the site and adjoining properties.
 - The location and height of existing buildings on the site and adjoining properties.
 - The use of adjoining buildings.
 - The location of secluded private open space of adjoining properties and the location of trees, fences and other landscape elements.
 - Solar access to the site and to adjoining properties.
 - Street frontage features such as poles, street lights, street trees and kerb crossovers.
 - The location of local shops, public transport services and public open spaces within walking distance.
 - Movement systems through and around the site.
 - Any other notable feature or characteristic of the site.
 - An assessment of the characteristics of the area including:
 - Any environmental features such as vegetation, topography and significant views.
 - The pattern of subdivision.
 - Street design and landscape.
 - The pattern of development.
 - Building form, scale and rhythm.
 - Connection to the public realm.
 - Architectural style, building details and materials.
 - Significant off-site noise sources.
 - For an apartment application, the relevant NatHERS climate zones.
 - Social and economic activity.
 - Any other notable or cultural characteristics of the area.
- A design response. The design response must explain how the proposed design:
 - Responds to any relevant planning provision.
 - Derives from and responds to the urban context report.

- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

53.20-604/02/2026
VC265**Development standards****53.20-6.1****Infrastructure**

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

53.20-6.2**Street setback**

Walls of buildings should be set back from streets at least the distance specified in Table 1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table 1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.

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Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2, and 4 metres for other streets.	Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

53.20-6.3 Site coverage

The site area covered by buildings should not exceed 60 per cent.

53.20-6.4 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

53.20-6.5 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing roof top solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing roof top solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.

53.20-6.6 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

53.20-6.7 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

53.20-6.8 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

53.20-6.9 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

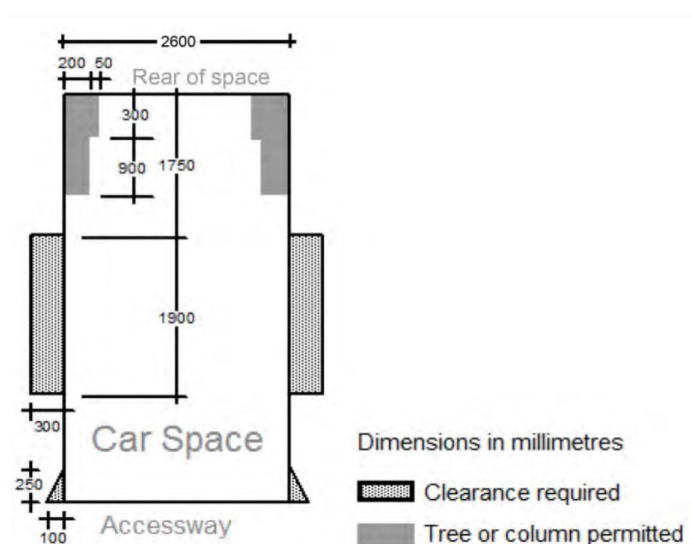
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45°	3.5 m	2.6 m	4.9 m
60°	4.9 m	2.6 m	4.9 m
90°	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Mechanical parking

Mechanical parking may be used to meet the carparking requirement provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

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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.

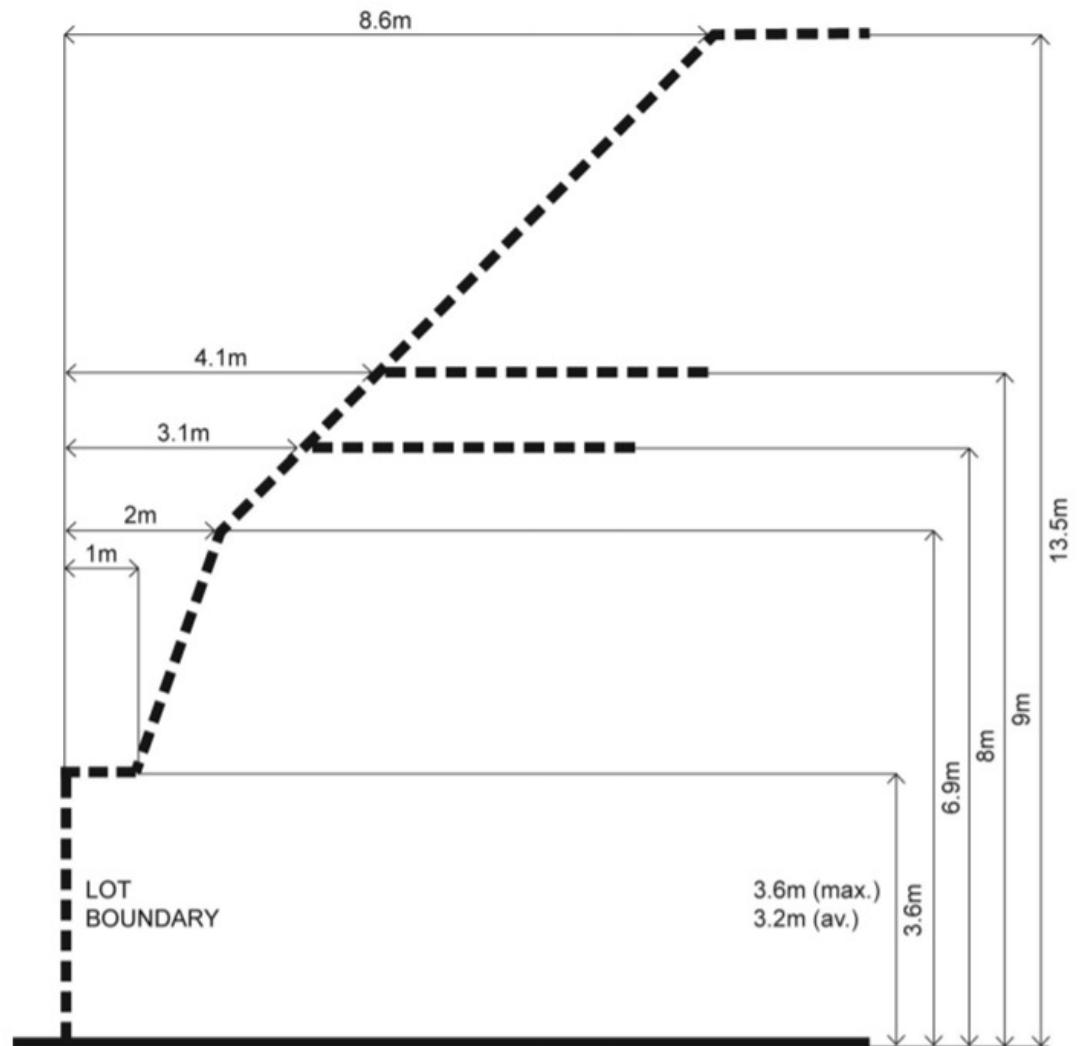
53.20-6.10 Side and rear setbacks

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.

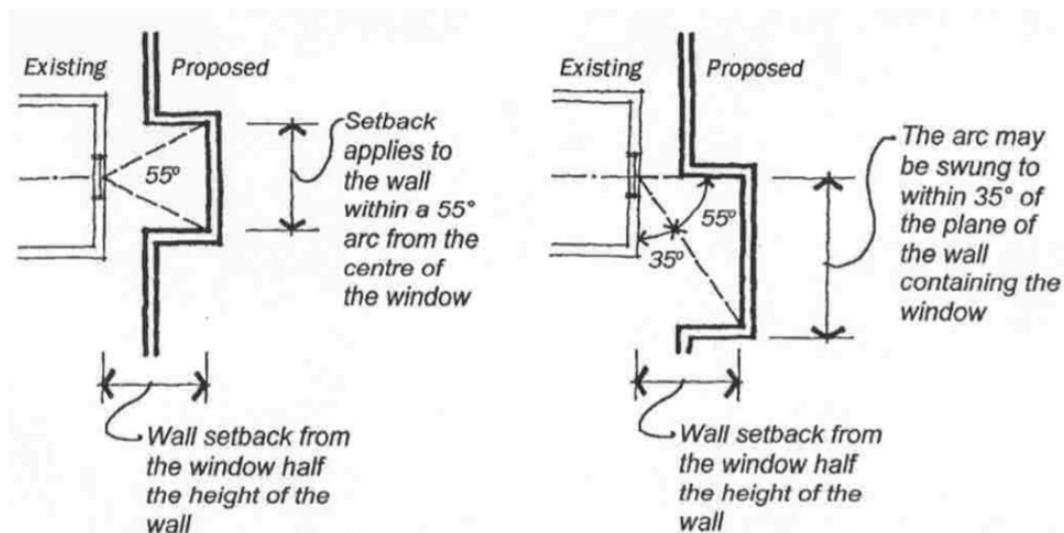
53.20-6.12 Daylight to existing windows

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.

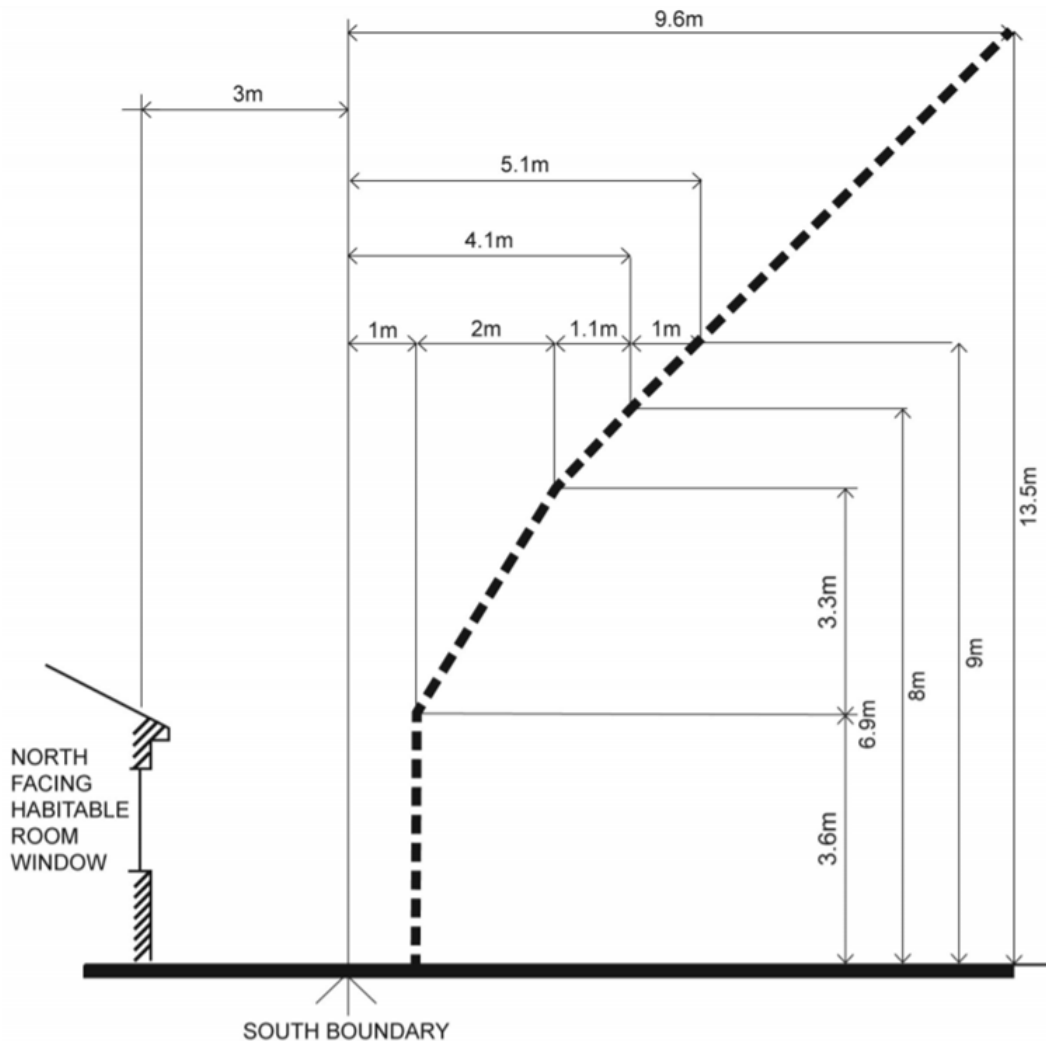
Diagram 3 Daylight to existing windows



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:

BAYSIDE PLANNING SCHEME

- 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.

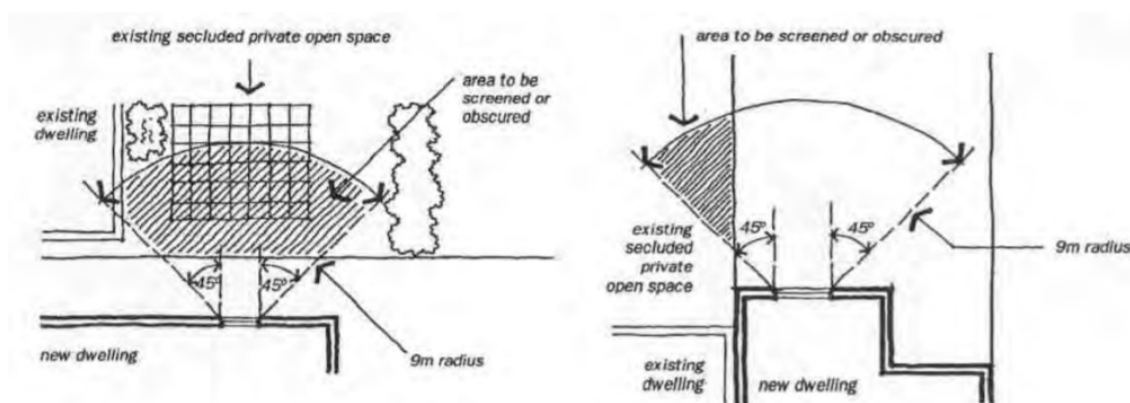
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

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.

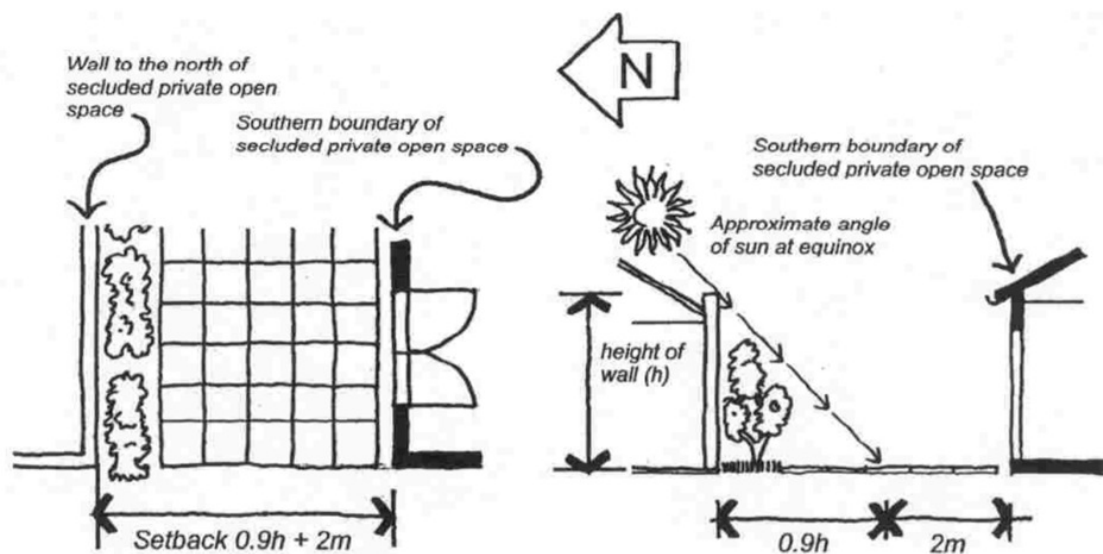
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

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

04/02/2026
VC265

53.20-7.1 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

53.20-7.2 Communal open space

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings or small second dwellings.
- Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

53.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

53.20-7.4 Landscaping

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
- Provide canopy cover through canopy trees that are:

BAYSIDE PLANNING SCHEME

- Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided trees should be provided in planters specified in Table 6.
- Consistent with the canopy diameter and height at maturity specified in Table 7.
- Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures, and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 – 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 6 Soil requirements for trees

Tree type	Tree in deep soil	Tree in planter
	Area of deep soil	Volume of planter soil Depth of planter soil

BAYSIDE PLANNING SCHEME

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 management guidance* (Environment Protection Authority - Publication 1739.1, 2021).
- 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.

BAYSIDE PLANNING SCHEME

- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

53.20-7.9

Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.

BAYSIDE PLANNING SCHEME

- 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.

BAYSIDE PLANNING SCHEME

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

53.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

53.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

53.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

53.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

53.20-7.18 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

53.20-7.19 Wind impacts

Development should:

- not cause unsafe wind conditions specified in Table 15 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 15 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 15: Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

Unsafe**Comfortable**

- 3 metres per second for sitting areas.
- 4 metres per second for standing areas.
- 5 metres per second for walking areas.

53.20-9

20/03/2023
VC229

Transitional provision

The development standards for apartments at clause 53.20-6 and clause 53.20-7 introduced by Amendment VC207, do not apply to an application to construct or extend a dwelling, or to construct or extend a front fence if:

- Funded wholly or partly, under Victoria's Big Housing Build program;
- The application is made by or on behalf of the Chief Executive Officer, Homes Victoria; and
- The written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program has been signed before 30 June 2022.

53.20-10

14/12/2023
VC253

Decision guidelines

Before deciding on an application, the responsible authority must consider, as appropriate:

- How the proposed development responds to the site and context description.
- Where a development standard of this clause is not met, the impact on the amenity of the adjoining dwellings or small second dwellings of varying the standard.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

53.21

17/02/2022
VC200

STATE TRANSPORT PROJECTS

Purpose

To facilitate the delivery of transport projects carried out by or on behalf of the State of Victoria.

53.21-1

19/11/2025
VC297

Application

This clause applies to an application under any provision of this planning scheme, other than a VicSmart application or an application to subdivide land, made by or on behalf of the Head, Transport for Victoria, the Secretary to the Department of Transport and Planning or the Suburban Rail Loop Authority.

53.21-2

17/02/2022
VC200

Exemption from review

An application to which clause 53.21 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

53.2220/09/2023
VC242**SIGNIFICANT ECONOMIC DEVELOPMENT****Purpose**

To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.

To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

53.22-104/07/2025
VC258**Application**

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under any provision of this planning scheme if all the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The conditions corresponding to a category in Table 1 are met.

This clause does not apply to an application to subdivide land, other than an application to subdivide land that includes either:

- A renewable energy facility; or
- A utility installation used to:
 - Transmit or distribute electricity; or
 - Store electricity if the installed capacity is 1 megawatt or greater.

In this clause, *Invest Victoria* means the body called 'Invest Victoria', established as an Administrative Office in relation to the Department of Jobs, Skills, Industry and Regions under an Order made under section 11 of the *Public Administration Act 2004*.

Table 1

Category	Condition
Category 1	The application must include a use specified in Table 2 and the conditions corresponding to that use must be met. If the application includes more than one use in Table 2, only one use must meet the corresponding conditions, except where the application includes an energy generation facility or transport terminal, in which case all conditions corresponding to those uses must be met. The application must not include a use that requires a permit if that use is not specified in Table 2. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria. This does not apply to an application for the use or development of land for an energy

BAYSIDE PLANNING SCHEME

Category	Condition
	generation facility, renewable energy facility, transport terminal, utility installation or warehouse (fuel depot).
Category 2	The application must include a use specified in Table 2. The conditions corresponding to that use do not need to be met. The application may also include a use that is not specified in Table 2. The proposed use or development must be: ▪ carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or ▪ funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or ▪ carried out on Crown land.
Category 3	The application must include a use specified in Table 2. The conditions corresponding to that use do not need to be met. The application may also include a use that is not specified in Table 2. The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land is of significance having regard to the: ▪ Purpose of clause 53.22. ▪ Estimated cost of development. ▪ Extent to which the development supports or implements planning policy. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.

Table 2

Use	Condition
Camping and caravan park	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least \$10 million if any part of the land is in metropolitan Melbourne. ▪ At least \$5 million if the land is not in metropolitan Melbourne.
Group accommodation	
Food and drink premises (other than bar, convenience restaurant and take away food premises)	
Leisure and recreation	
Place of assembly	
Recreational boat facility	
Residential hotel	

BAYSIDE PLANNING SCHEME

Use	Condition
Winery	
Agriculture Data centre Industry Research centre Saleyards	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$20 million if any part of the land is in metropolitan Melbourne. - At least \$10 million if the land is not in metropolitan Melbourne.
Hospital Medical centre Warehouse	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$30 million if any part of the land is in metropolitan Melbourne; or - At least \$10 million if the land is not in metropolitan Melbourne.
Tertiary institution	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$30 million if any part of the land is in metropolitan Melbourne; or - At least \$20 million if the land is not in metropolitan Melbourne.
Transport terminal	Must only be used to transport gas.
Retail premises (other than food and drink premises)	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: - At least \$100 million if any part of the land is in metropolitan Melbourne; or - At least \$20 million if the land is not in metropolitan Melbourne.
Earth and energy resources industry (other than extractive industry, mining, mineral exploration, petroleum exploration, petroleum production and stone exploration)	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be at least \$30 million to the satisfaction of the Minister for Planning.
Extractive industry	The estimated value of the resource to be extracted must be at least \$30 million to the satisfaction of the Minister for Planning.

BAYSIDE PLANNING SCHEME

Use	Condition
Mining and mineral exploration	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be at least \$10 million to the satisfaction of the Minister for Planning.
Office	Must meet one of the following to the satisfaction of the Minister for Planning: ▪ The combined gross floor area of all buildings (excluding basement and above ground car parking facilities) associated with the proposed use or development must be at least 10,000 square metres if any part of the land is in metropolitan Melbourne; or ▪ The combined gross floor area of all buildings (excluding basement and above ground car parking facilities) associated with the proposed use or development must be at least 5,000 square metres if the land is not in metropolitan Melbourne.
Renewable energy facility	An installed capacity of 1 megawatt or greater must be proposed.
Energy generation facility	An installed capacity of 1 megawatt or greater must be proposed. Must only be a gas-powered energy generation facility.
Utility installation (other than data centre)	A utility installation used to: ▪ Transmit or distribute electricity; or ▪ Store electricity if the installed capacity is 1 megawatt or greater; or ▪ Transmit or distribute gas. must be proposed.

53.22-2

04/07/2025
VC258

Planning scheme requirements

The responsible authority may waive or vary any of the following:

- Any building height or setback requirement.
- Any application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

This does not apply to the following:

- A decision that would be inconsistent with an approved Statement of Planning Policy for a declared area; and
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

53.22-3

04/07/2025
VC258

Application requirements

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

- A report or other documents demonstrating the likely feasibility of the development.
- A report prepared by a suitably qualified quantity surveyor which specifies the estimated cost of the development.
- For extractive industry, a report prepared by a suitably qualified person specifying the estimated value of the resource to be extracted.

53.22-4

20/09/2023
VC242

Exemption from review

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

53.22-5

04/07/2025
VC258

Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.22-6

20/09/2023
VC242

Transitional provision

Clause 53.22 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
 - An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.
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53.2304/07/2025
VC258**SIGNIFICANT RESIDENTIAL DEVELOPMENT WITH AFFORDABLE HOUSING****Purpose**

To facilitate residential development that contributes to the provision of affordable housing to meet existing and future needs.

To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.

To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.

To facilitate residential development with high quality urban design, architecture and landscape architecture.

To provide opportunities for non-residential use and development in association with residential development.

53.23-104/07/2025
VC258**Application**

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under any provision of this planning scheme if all of the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The application includes the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling).
- The conditions corresponding to a category in Table 1 are met.

This clause does not apply to an application to subdivide land.

In this clause:

- **Chief Executive Officer, Homes Victoria** means ‘Chief Executive Officer, Homes Victoria’ as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*.
- **Invest Victoria** means the body called ‘Invest Victoria’, established as an Administrative Office in relation to the Department of Jobs, Skills, Industry and Regions under an Order made under section 11 of the *Public Administration Act 2004*.

Table 1

Category	Condition
Category 1	The estimated cost of the proposed development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least \$50 million if any part of the land is in metropolitan Melbourne. ▪ At least \$15 million if the land is not in metropolitan Melbourne.

BAYSIDE PLANNING SCHEME

Category	Condition
	The application includes an affordable housing report required under clause 53.23-3 that demonstrates how the affordable housing contribution specified in clause 53.23-4 (being at least 10 per cent of the total number of dwellings in the proposed development provided as affordable housing or an alternative contribution towards the provision of affordable housing) is intended to be provided if a permit is granted. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.
Category 2	The proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) will be: ▪ carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or ▪ funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or ▪ carried out on Crown land. If the application is made by or on behalf of the Chief Executive Officer, Homes Victoria, the proposed development includes at least 10 dwellings.
Category 3	The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) is of significance having regard to: ▪ The purpose of clause 53.23. ▪ Whether a contribution towards affordable housing is proposed. ▪ The estimated cost of the proposed development. ▪ The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities. ▪ Whether the design, liveability and sustainability of the proposed development is exemplary.

Category	Condition
	Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.

53.23-204/07/2025
VC258**Planning scheme requirements**

The responsible authority may waive or vary any of the following:

- A minimum garden area requirement.
- Any building height or setback requirement.
- A condition opposite a use in Section 2 in a zone or a schedule to a zone.
- Any application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

This does not apply to the following:

- A decision that would be inconsistent with an approved Statement of Planning Policy for a declared area; and
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

Clauses 45.09 and 52.06 of this planning scheme do not apply to a use or development proposed in an application where:

- the proposed development will be funded, or partly funded, by the State of Victoria or the Commonwealth; or
- the application is made by or on behalf of the Chief Executive Officer, Homes Victoria.

The provisions of clauses 54.05-2, 55.03-5, 57.03-5 and 58.05-3 of this planning scheme do not apply to:

- an application for a proposed development funded, or partly funded, by the State of Victoria or the Commonwealth; or
- an application made by or on behalf of the Chief Executive Officer, Homes Victoria.

An application for a proposed development that will be funded, or partly funded, by the State of Victoria or the Commonwealth, or an application made by or on behalf of the Chief Executive Officer, Homes Victoria should meet the following standards:

- A minimum 0.6 car parking spaces should be provided to each dwelling. Car parking spaces may be covered or uncovered. If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1. Car parking for other land uses in the proposed development must be to the satisfaction of the responsible authority.
- A dwelling (other than an apartment) should have private open space consisting of:
 - an area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or

- a balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
 - a roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.
- Secluded private open space may be located in the front setback if it is no more than 30 per cent of the street frontage.

53.23-3

04/07/2025
VC258

Application requirements

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

- A report prepared by a suitably qualified quantity surveyor which specifies the estimated cost of the proposed development of land for accommodation to the satisfaction of the Minister for Planning.
- A report (affordable housing report) that outlines how a proposed contribution to the provision of affordable housing is intended to be provided should a permit be granted, including the following:
 - The nature of the proposed contribution.
 - The methodology for the delivery of the proposed contribution.
 - The proposed monetary value of the contribution (as a percentage of the estimated cost of the proposed development of land for accommodation).
- If the application includes a non-residential use or development, information about the purpose of the use and the types of activities proposed to be carried out.
- An application for a use or development that will be funded, or partly funded, by Homes Victoria must be accompanied by a letter from the Chief Executive Officer or delegate, Homes Victoria, consenting generally or conditionally to the application being made.
- An application for a use or development that will be funded, or partly funded, by the Commonwealth, must be accompanied by a letter from the Chief Executive Officer, Housing Australia confirming the funding.

53.23-4

04/07/2025
VC258

Permit condition requirement

The responsible authority must include the following condition in deciding to grant a permit:

"Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:

- *At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.*
- *An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.*

The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable)."

The above requirement to include a condition does not apply if any of the following apply:

- The responsible authority is satisfied that an agreement exists with the State of Victoria or a public authority for the provision of at least 10 per cent of the total number of dwellings in the development as affordable housing and:
 - the use or development will be carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or
 - the development will be funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or
 - the development will be carried out on Crown land.
- The conditions corresponding to Category 3 in Table 1 are met and a contribution towards affordable housing is not proposed.

53.23-5

20/09/2023
VC242

Exemption from review

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

53.23-6

04/07/2025
VC258

Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.23-7

20/09/2023
VC242

Transitional provision

Clause 53.23 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
 - An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.
-

53.24

22/09/2023
VC243

FUTURE HOMES

Purpose

To facilitate apartment developments that incorporate exemplar designs approved under the Future Homes project.

To facilitate apartment developments that increase the density and diversity of housing to respond to Victoria's population growth.

To facilitate apartment developments that are exemplary in their design, liveability and sustainability.

53.24-1

28/02/2025
VC274

Application

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under clause 32.08-7 of the General Residential Zone or clause 32.10-5 of the Housing Choice and Transport Zone to construct two or more dwellings on a lot, or to construct a front fence in association with the construction of two or more dwellings on a lot, if all of the following requirements are met:

- The development must be an apartment development.
- The design of the apartment development must use a licenced exemplar design approved under the Future Homes project overseen by the Department of Transport and Planning.
- Any part of the land:
 - Must be within 800 metres of a passenger railway station; or
 - Must be within 800 metres of a metropolitan, major or neighbourhood activity centre in Metropolitan Melbourne; or
 - Must be within 800 metres of an activity centre outside Metropolitan Melbourne; and
 - Must not be within a Heritage Overlay or Neighbourhood Character Overlay.

For the purposes of this clause, the distance from an activity centre must be measured from:

- the boundary of the activity centre specified, shown, described or otherwise indicated in this planning scheme; or
- if the boundary of the activity centre is not specified, shown, described or otherwise indicated in this planning scheme, the boundary of any Activity Centre Zone, commercial zone, Mixed Use Zone or Precinct Zone.

For the purposes of this clause, the distance from a passenger railway station must be measured from the closest point to a station platform.

53.24-2

26/09/2023
VC246

Meaning of terms

An activity centre outside Metropolitan Melbourne means a:

- Central Activity District
 - Central Business District
 - City Centre
 - Major Activity Centre
 - Primary Activity Centre
 - Principal Activity Centre
 - Principal Centre
-

- Regional Activity Centre
- Regional Centre
- Regional Retail Centre

53.24-3

25/02/2025
VC257

Pre-application referral requirements

If an application under clause 32.08-7 or 32.10-5 is required to be referred in accordance with section 55 of the Act to a referral authority specified in clause 66, the following requirements must be met:

- The development for which the application is made must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the development.

If the proposed development requires a permit under a provision of this planning scheme other than clause 32.08-7 of the General Residential Zone or clause 32.10-5 of the Housing Choice and Transport Zone and an application for that permit is required to be referred in accordance with section 55 of the Act to a referral authority specified in clause 66, the following requirements must be met:

- The development for which the application is made must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the development.

53.24-4

03/12/2024
VC269

Application requirements

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.
- A landscape plan.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation, levels and easements.
 - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
 - The use of surrounding buildings.
 - The location of private open space and habitable room windows of surrounding properties that have an outlook to the site.
 - Solar access to the site and adjoining properties.
 - Views to and from the site.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - The pattern of development of the neighbourhood, including the average street setback for the development site (approximately 150 metres either side).
 - The location of local shops, public transport services and public open spaces within walking distance.
-

- Movement systems through and around the site.
- Any other notable features or characteristics of the site and area.

Design response

The design response must address the development standards of clause 53.24 and the principles, objectives, requirements and targets of the *Building future homes adaptation guide* (Department of Transport and Planning, 2023).

Landscape plan

The landscape plan must include:

- The location of significant trees existing on and adjacent to the site and any significant trees removed from the site 12 months prior to the application being made.
- The location and details of proposed vegetation, including canopy trees on the site.
- A planting schedule that demonstrates compliance with the deep soil and canopy cover requirements.
- Details of the soil type, drainage patterns and irrigation system of the site.

53.24-5

31/03/2025
VC267

Exemption from planning scheme requirements

The requirements of clauses 45.09, 52.06 and 52.34 of the planning scheme do not apply to a development under this clause.

An application is exempt from any application requirement in the General Residential Zone or any application requirements specified in a schedule to the General Residential Zone or the Housing Choice and Transport Zone.

An application is exempt from and is not required to meet the requirements of clauses 55, 57 and 58.

Matters to be considered

In deciding an application, the responsible authority must not consider, and is exempt from considering:

- The Municipal Planning Strategy and Planning Policy Framework.
- The purpose of the General Residential Zone or the Housing Choice and Transport Zone.
- Any decision guideline in the General Residential Zone, or a schedule to the General Residential Zone or the Housing Choice and Transport Zone.
- The decision guidelines in clause 65.

53.24-6

25/02/2025
VC257

Exemption from review

An application under clause 32.08-7 or 32.10-5 is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

53.24-7

03/12/2024
VC269

Development standards

A development must meet all of the following development standards.

53.24-7.1

03/12/2024
VC269

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

03/12/2024
VC269

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

03/12/2024
VC269

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

03/12/2024
VC269

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

03/12/2024
VC269

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

03/12/2024
VC269

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

03/12/2024
VC269

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
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

53.24-7.803/12/2024
VC269**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 depth
Studio or 1 bedroom dwelling	3.3 metres	10 square metres
2 or more bedroom dwelling	3.6 metres	12 square metres

53.24-7.903/12/2024
VC269**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.

53.24-7.1003/12/2024
VC269**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.

53.24-7.1103/12/2024
VC269**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.

53.24-7.1203/12/2024
VC269**Deep soil and canopy cover**

A development must:

- Provide the canopy cover and deep soil areas specified in Table 4 (existing trees can be used to meet the canopy cover requirements of Table 4).
- Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table 5, or where deep soil cannot be provided, located in planters specified in Table 5.
 - Consistent with the canopy diameter and height at maturity specified in Table 6.
 - Located in communal outdoor open space or common areas or street frontages.
 - Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
 - Take into account the soil type and drainage patterns of the site.

Table 4: Canopy cover and deep soil requirements

Site area	Canopy area	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 – 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 5: Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter	
		Volume of soil planter	Depth of soil planter
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metres

Note *Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.*

Table 6: Tree types

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

53.24-8

03/12/2024
VC269

Decision guidelines

Before deciding on an application the responsible authority must consider the purpose of this clause.

53.2507/04/2025
VC280**GREAT DESIGN FAST TRACK****Purpose**

To facilitate innovative dwelling, apartment and mixed-use residential development.

To facilitate development that increases the density and diversity of dwellings to respond to Victoria's population growth.

To facilitate the development of dwellings with convenient access to public transport, and community, retail and other services.

To facilitate development that is of a high quality in its design, liveability and sustainability.

53.25-107/04/2025
VC280**Application**

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under any provision of this planning scheme for the development of land, or the use and development of land, (other than the subdivision of land), if all of the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The application includes the construction of at least eight dwellings.
- Any proposed building contains at least two storeys and not more than eight storeys.
- The proposed development achieves a minimum NatHERS rating of:
 - 8.0 stars average, with no individual dwelling less than 6.5 stars for apartment developments.
 - 7.5 stars for all other dwellings.
- Each proposed dwelling provides effective natural ventilation, which includes cross ventilation, single sided ventilation or mechanically assisted ventilation.
- The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) is of significance having regard to:
 - The purpose of clause 53.25.
 - Whether the quality of the design, liveability and sustainability of the proposed development meets the design principles published by the Minister for Planning on the Department's Internet site for the purposes of clause 53.25 ('the design principles').
 - The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities.
- Information demonstrating that the proposed development meets the design principles is provided to the satisfaction of the Minister for Planning. This must include written advice from the Office of the Victorian Government Architect to the satisfaction of the Minister for Planning.
- Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria (Department of Jobs, Skills, Industry and Regions) to the satisfaction of the Minister for Planning.

53.25-207/04/2025
VC280**Planning scheme requirements**

The responsible authority may waive or vary any of the following in relation to an application or a proposed use or development:

- A minimum garden area requirement.
- Any building height or setback requirement.
- A condition opposite a use in Section 2 in a zone or a schedule to a zone.

A decision to waive or vary any of the matters above does not apply:

- where it would be inconsistent with an approved Statement of Planning Policy for a declared area; or
- to a requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

The responsible authority may waive or vary any of the requirements of clauses 45.09, 52.06 and 52.34 of this planning scheme in relation to an application or a proposed use or development.

An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

Clauses 52.20, 53.20, 53.23 and 53.24 of this planning scheme do not apply to an application to which this clause applies.

53.25-3

07/04/2025
VC280

Application requirements

If the application includes a non-residential use or development, information about the purpose of the use and the types of activities proposed to be carried out must accompany the application, as appropriate.

53.25-4

07/04/2025
VC280

Exemption from review

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of section 82(1) of the Act.

53.25-5

07/04/2025
VC280

Decision guidelines

Before deciding on an application, in addition to the decision guidelines elsewhere in this planning scheme including in clause 65, the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.25-6

07/04/2025
VC280

Transitional provision

Clause 53.25 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC280.
 - An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC280.
-

ONE DWELLING ON A LOT OR A SMALL SECOND DWELLING ON A LOT**Purpose**

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

To 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, Neighbourhood 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.

BAYSIDE PLANNING SCHEME

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

08/09/2025
VC282

APPLICATION REQUIREMENTS

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

54.01-1

08/09/2025
VC282

Site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- The built form, scale and character of surrounding development including front fencing.
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
- The use of surrounding buildings.
- The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
- Solar access to the site and to surrounding properties.
- Location of existing trees 5 metres in height or greater, with a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, on the site.
- Any cut and filled areas of soil, where known.
- Street frontage features such as poles, services, street trees and kerb crossovers.
- The location of any existing domestic solar energy system on the roof of a dwelling, apartment development or residential building on surrounding properties.

If in the opinion of the responsible authority a requirement of the site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

54.01-2

08/09/2025
VC282

Design response

The design response must explain how the proposed design derives from and responds to the site description.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

The design response must include a landscape plan that details the proposed:

- Retention and planting of canopy trees,
 - Planting of other vegetation including location, species, number and size at maturity of vegetation,
 - Where required, areas of deep soil and root barriers,
 - Irrigation system to support existing and planted vegetation including details of any alternative water supply sources,
 - Selection of vegetation that responds to the site's environment and geographic factors.
-

BAYSIDE PLANNING SCHEME

If in the opinion of the responsible authority a design response requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

54.0208/09/2025
VC282**54.02-1**08/09/2025
VC282**NEIGHBOURHOOD CHARACTER****Street setback objective**

To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.

Standard 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. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site are setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site are setback the same distance as the setback of the front wall of any existing 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

08/09/2025
VC282

Building height objective

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

08/09/2025
VC282

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

Standard A2-3

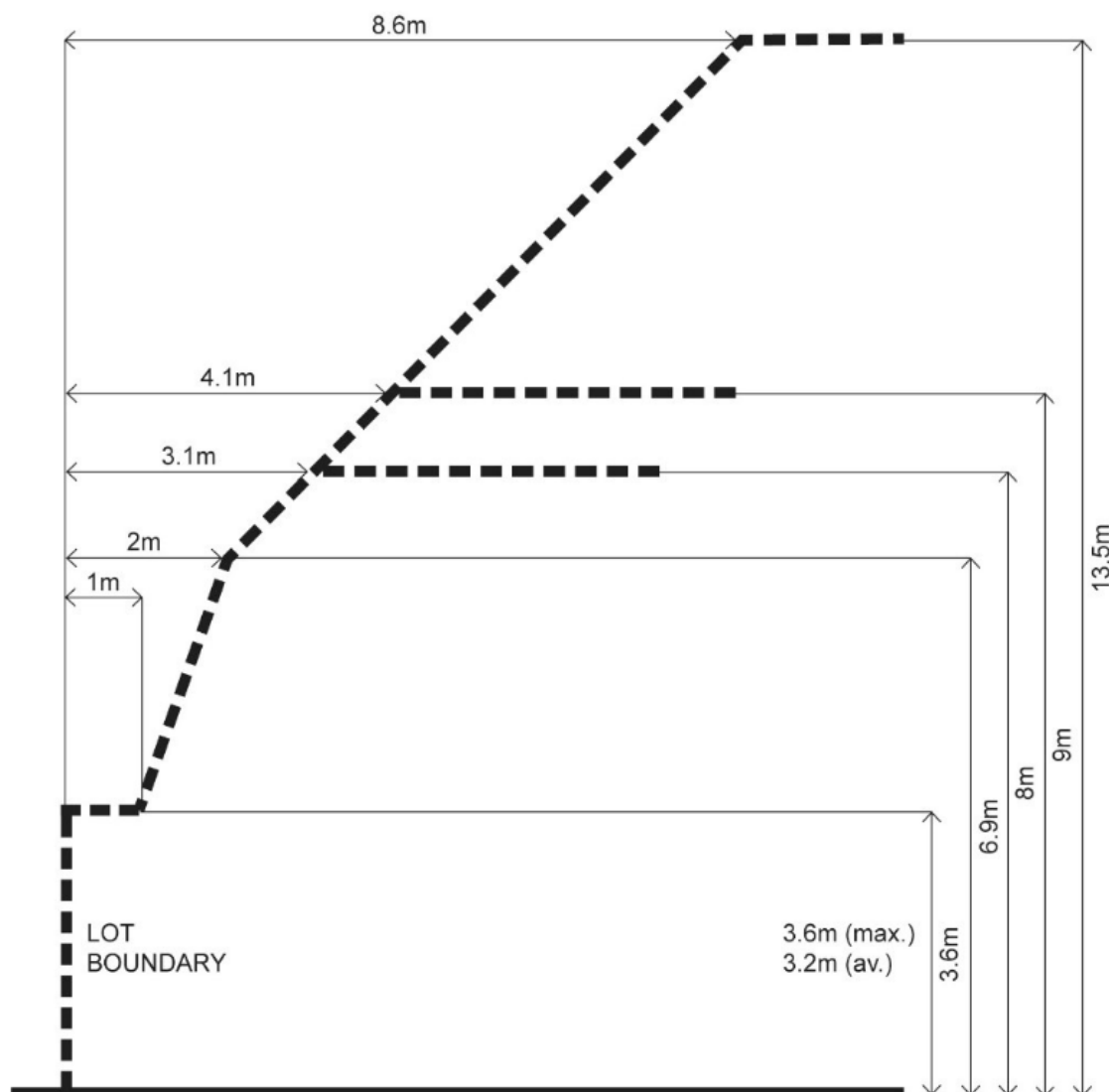
A new building not on or within 200mm of a boundary is set back from side or rear boundaries at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, 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 side and rear setbacks.

BAYSIDE PLANNING SCHEME

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

08/09/2025
VC282

Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard 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

08/09/2025
VC282

Site coverage objective

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Standard 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	60 per cent
Township Zone	
General Residential Zone	65 per cent
Residential Growth Zone	70 per cent
Mixed Use Zone	
Housing Choice and Transport Zone	

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

54.02-6

08/09/2025
VC282

Tree canopy objectives

To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

Standard 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

08/09/2025
VC282

Front fences objective

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

08/09/2025
VC282

Building setback for small second dwellings objective

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.
-

54.0308/09/2025
VC282**LIVEABILITY****54.03-1**08/09/2025
VC282**Street integration objective**

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.

54.03-208/09/2025
VC282**Private open space objective**

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

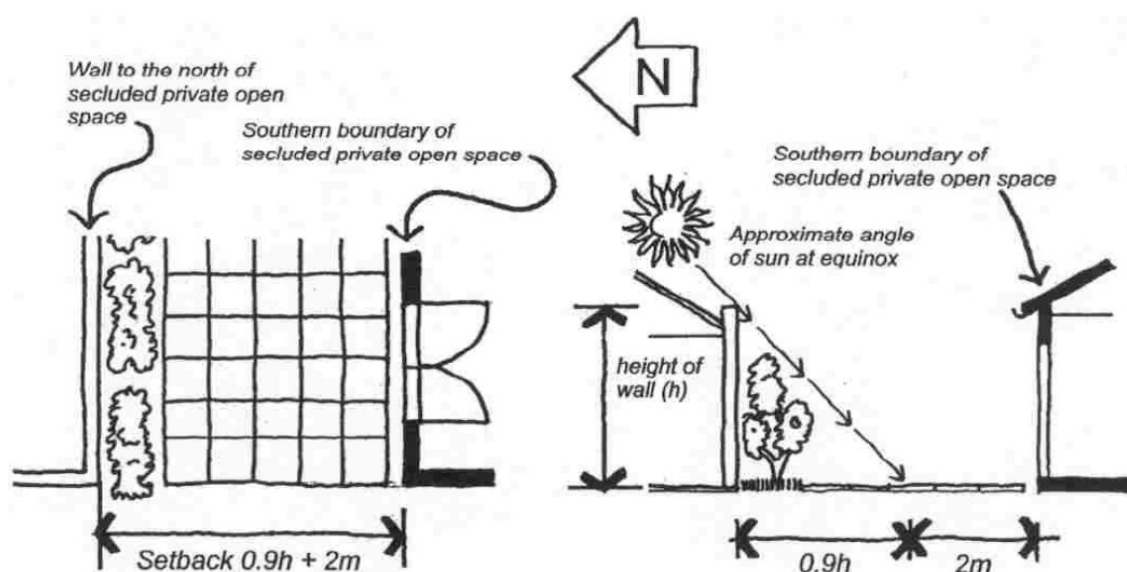
08/09/2025
VC282

Solar access to open space objective

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

08/09/2025
VC282

Daylight to new windows objectives

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

08/09/2025
VC282

Safety and accessibility for small second dwellings objective

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

08/09/2025
VC282

54.04-1

08/09/2025
VC282

EXTERNAL AMENITY

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

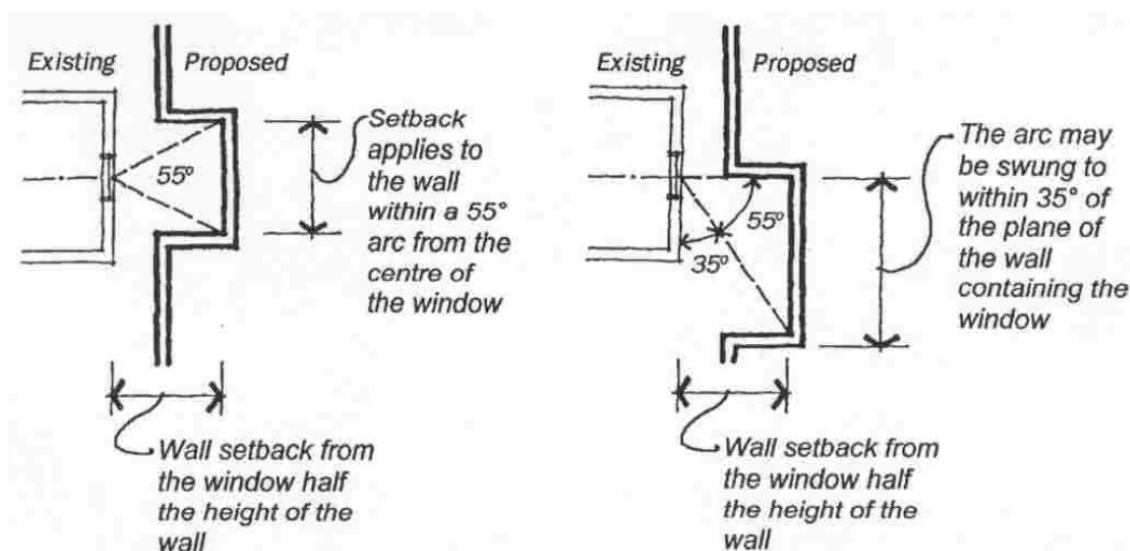
Standard A4-1

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

08/09/2025
VC282

Existing north-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

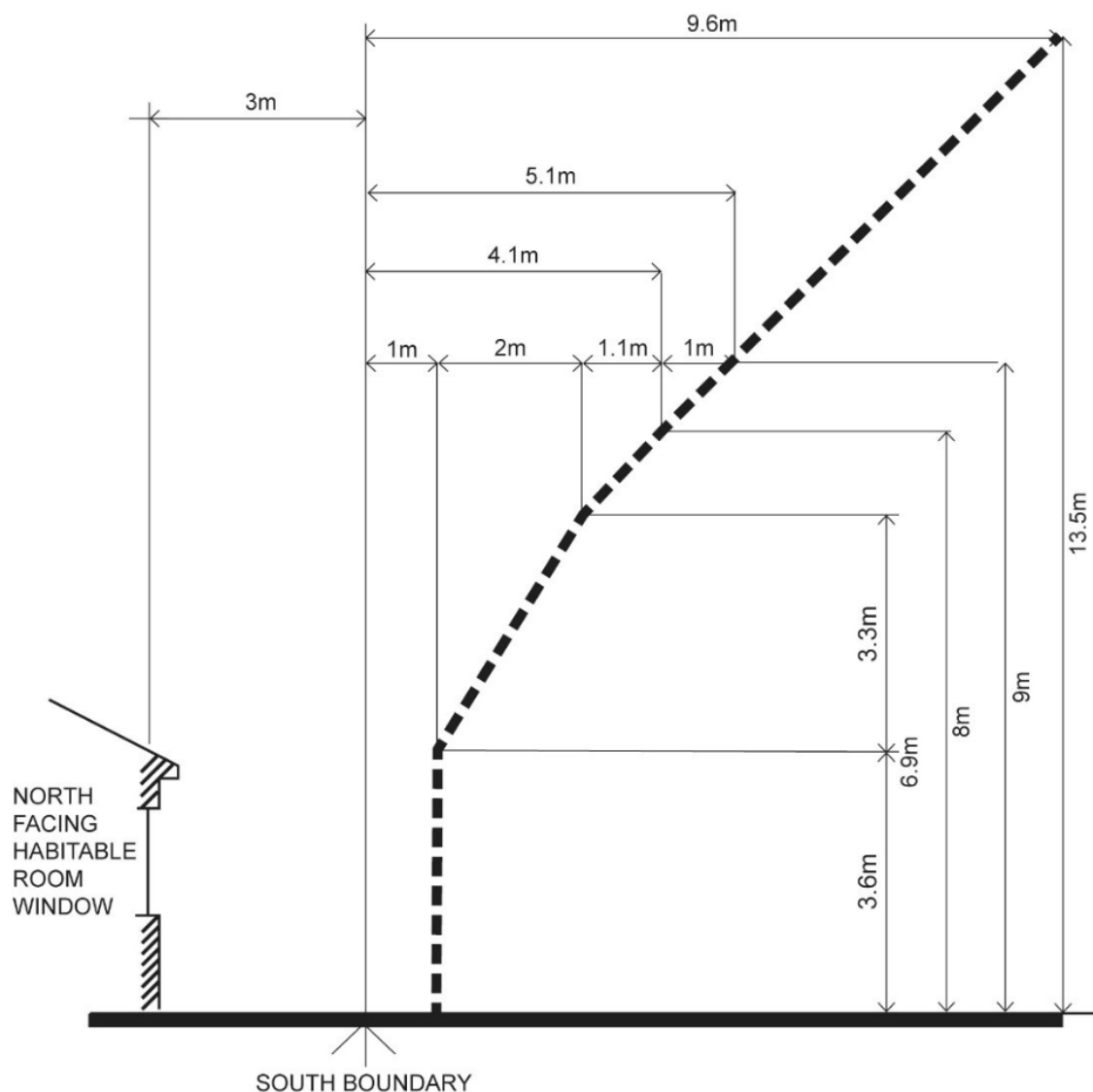
Standard A4-2

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.

BAYSIDE PLANNING SCHEME

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

08/09/2025
VC282

Overshadowing secluded open space objective

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

08/09/2025
VC282

Overlooking objective

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.

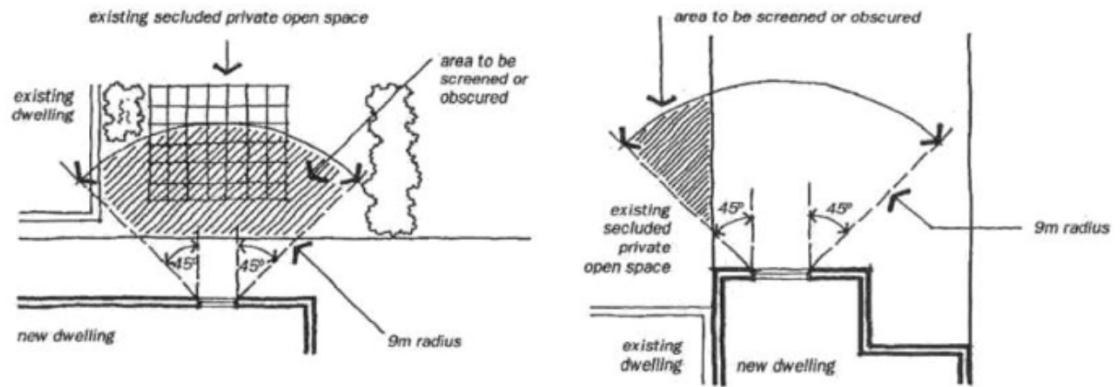
Screens used to obscure a view are:

- 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.

BAYSIDE PLANNING SCHEME

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.

54.0508/09/2025
VC282**SUSTAINABILITY****54.05-1**08/09/2025
VC282**Permeability objectives**

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.

54.05-208/09/2025
VC282**Overshadowing domestic solar energy systems objective**

To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

Standard 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.

54.05-308/09/2025
VC282**Rooftop solar energy generation area objective**

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.

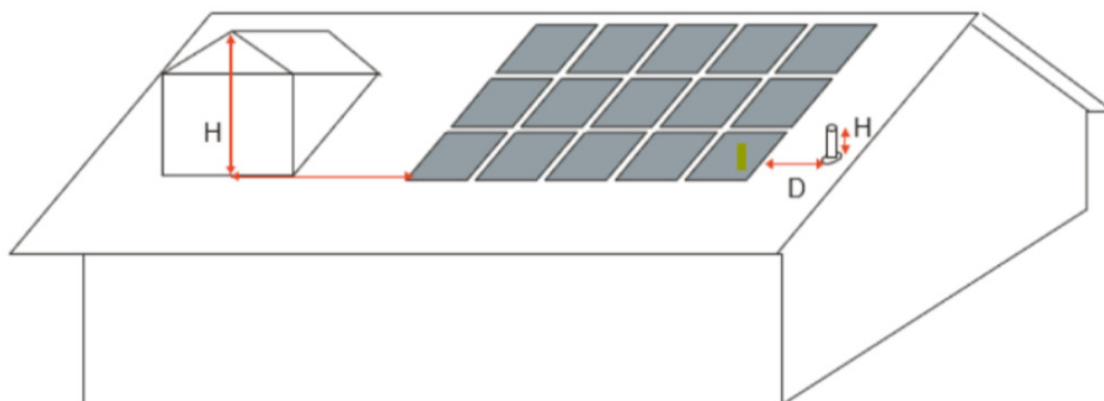
An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:

- 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.
-

BAYSIDE PLANNING SCHEME

- 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

08/09/2025
VC282

Solar protection to new north-facing windows objective

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.

BAYSIDE PLANNING SCHEME

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.
-

TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS OF THREE STOREYS OR LESS

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:

BAYSIDE PLANNING SCHEME

- The corresponding objective is deemed to be met;
- The responsible authority is not required to consider the corresponding decision guidelines.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Exemptions

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:

- The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.
- The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.
- The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

An application to which this clause applies is exempt from the requirements of:

- Section 60(1)(b), (e), (f), (1A) and (1B) of the Act; and
 - Section 84B(2)(b) to (jb) of the Act.
-

55.01

31/03/2025
VC267

APPLICATION REQUIREMENTS

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

55.01-1

31/03/2025
VC267

Site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- The built form, scale and character of surrounding development including front fencing.
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
- The use of surrounding buildings.
- The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
- Solar access to the site and to surrounding properties.
- Location of existing trees 5 metres in height or greater, with a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, on the site.
- Any cut and filled areas of soil, where known.
- Street frontage features such as poles, services, street trees and kerb crossovers.
- The location of any existing domestic solar energy system on the roof of a dwelling, apartment development or residential building on surrounding properties.

If in the opinion of the responsible authority a requirement of the site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

55.01-2

31/03/2025
VC267

Design response

The design response must explain how the proposed design derives from and responds to the site description.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

The design response must include a landscape plan that details the proposed:

- Retention and planting of canopy trees,
 - Planting of other vegetation including location, species, number and size at maturity of vegetation,
 - Where required, areas of deep soil and root barriers,
 - Irrigation system to support existing and planted vegetation including details of any alternative water supply sources,
 - Selection of vegetation that responds to the site's environment and geographic factors,
 - A plan showing the location of site services, clothes drying and storage.
-

BAYSIDE PLANNING SCHEME

If in the opinion of the responsible authority a design response requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

55.0231/03/2025
VC267**55.02-1**31/03/2025
VC267**NEIGHBOURHOOD CHARACTER****Street setback objectives**

To ensure that the setbacks of buildings from a street respond to the existing or preferred neighbourhood character and make efficient use of the site.

Standard B2-1

Walls of buildings are set back from streets:

- At least the distance specified in a schedule to the zone if the distance specified in the schedule is less than the distance specified in Table B2-1; or
- If no distance is specified in a schedule to the zone, the distance specified in Table B2-1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B2-1 Street setback

Development context	Minimum setback from front street	Minimum setback from a side street
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The same distance as the lesser front wall setback of the existing buildings on the abutting allotments facing the front street or 6 metres, whichever is the lesser.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 6 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site are setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site are setback the same distance as the setback of the front wall of any existing

Development context	Minimum setback from front street	Minimum setback from a side street
		building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether the siting of the building is constrained by the shape, dimensions, slope or other conditions of the site.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- Whether a different setback affects the ability to retain or plant canopy trees.

55.02-2

31/03/2025
VC267

Building height objective

To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

Standard B2-2

The maximum building height does not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

55.02-3

02/04/2025
VC276

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

Standard B2-3

A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.

Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:

- B2-3.1:

The building is set back at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

- B2-3.2:

If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.

If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.

Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.

BAYSIDE PLANNING SCHEME

Diagram B2-3.1 Side and rear setbacks

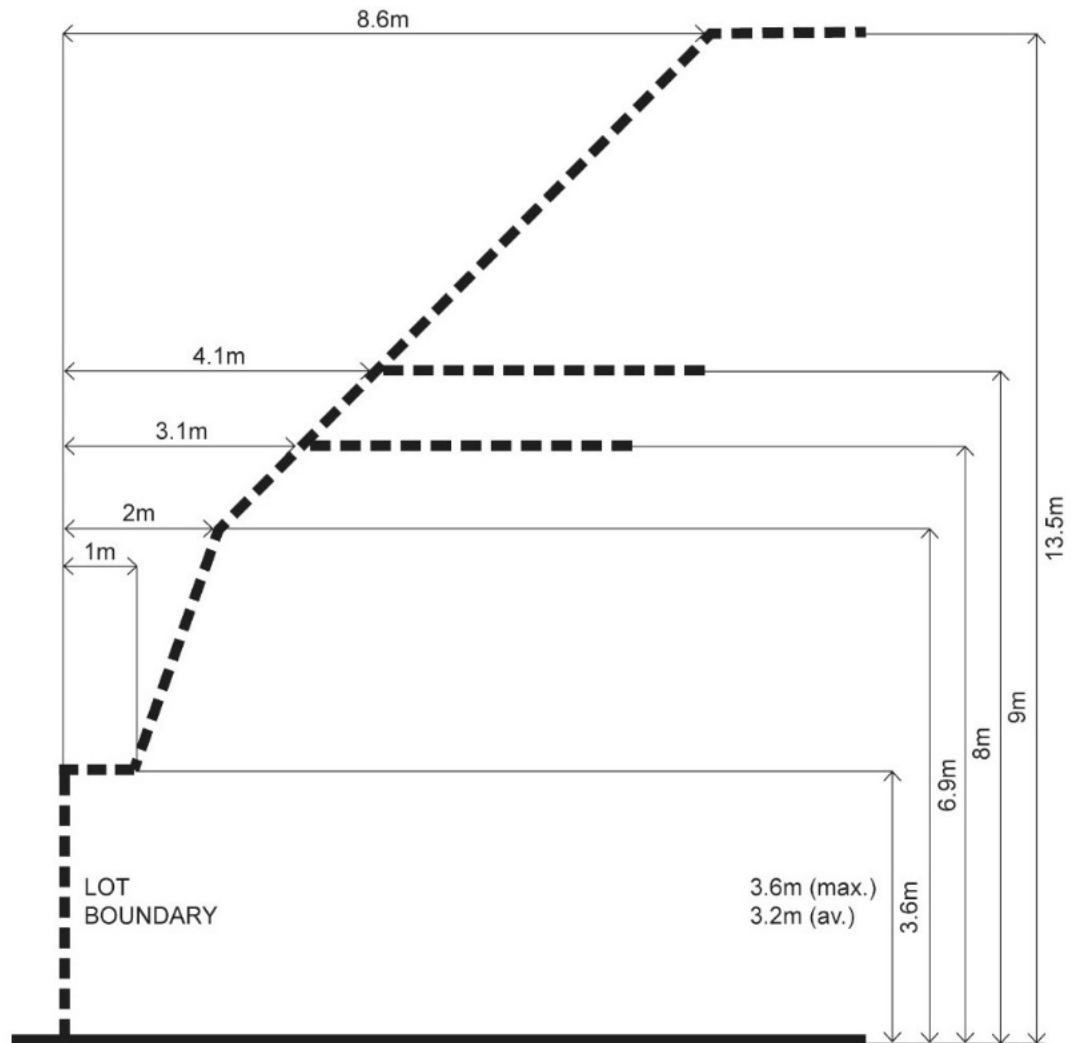
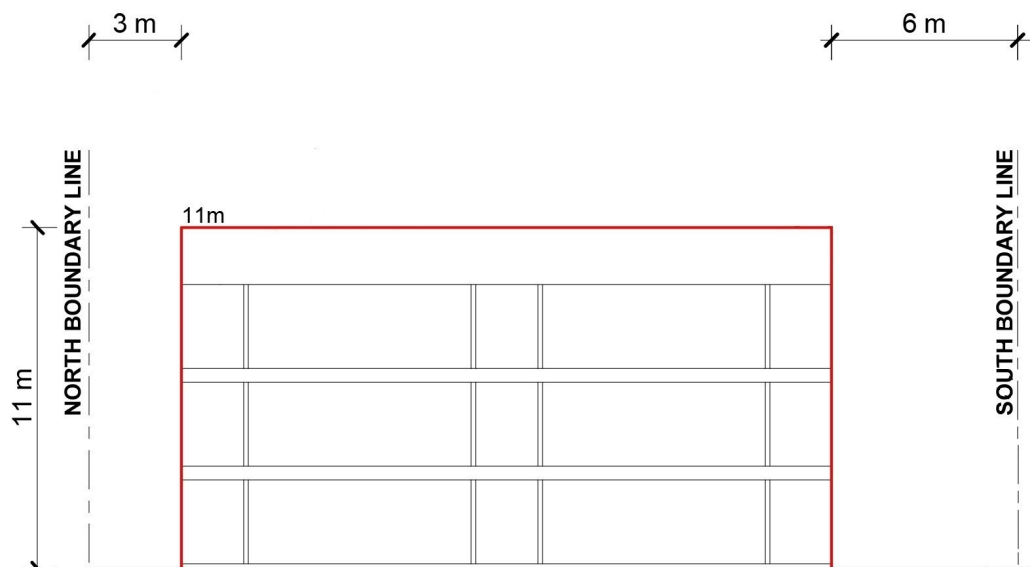


Diagram B2-3.2 Side and rear setbacks



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and private open space of existing dwellings or small second dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.
- Whether a different setback in a rear yard affects the ability to retain or plant canopy trees.

55.02-4

31/03/2025
VC267

Walls on boundaries objectives

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard B2-4

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
 - The design response.
 - The extent to which walls on boundaries are part of the neighbourhood character.
 - The impact on the amenity of existing dwellings or small second dwellings.
 - The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
 - The orientation of the boundary that the wall is being built on.
 - The width of the lot.
 - The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
-

- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

55.02-531/03/2025
VC267**Site coverage objective**

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Standard B2-5

The site area covered by buildings does not exceed:

- The maximum site coverage specified in a schedule to the zone; or
- If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.

If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.

Table B2-5 Site coverage

Zone	Area
Neighbourhood Residential Zone	60 per cent
Township Zone	
General Residential Zone	65 per cent
Residential Growth Zone	70 per cent
Mixed Use Zone	
Housing Choice and Transport Zone	

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

55.02-631/03/2025
VC267**Access objective**

To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Standard B2-6

The width of accessways or car spaces (other than to a rear lane) does not exceed:

- 33 per cent of the street frontage; or
- 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.

The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The reduction of on-street car parking spaces.
- Whether a different accessway width, number of access points or encroachment of an existing tree affects the ability to retain or plant canopy trees on the site or footpath.

55.02-7

31/03/2025
VC267

Tree canopy objectives

To provide tree canopy that responds to the neighbourhood character of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure new canopy trees are climate responsive, support biodiversity, wellbeing and amenity, and help reduce urban heat.

Standard B2-7

Provide a minimum canopy cover as specified in Table B2-7.1.

Table B2-7.1 Canopy cover

Site area	Canopy cover
1000 square metres or less	10% of site area
More than 1000 square metres	20% of site area

Existing trees to be retained meet all of the following:

- Has a height of at least 5 metres,
- Has a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level,
- Has a trunk that is located at least 4 metres from proposed buildings.

The minimum canopy cover is met using any combination of trees specified in Table B2-7.2.

Existing trees that are retained can be used in calculating canopy cover.

Table B2-7.2 Tree type, canopy cover, deep soil and planter requirements

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
A	4 metres	6 metres	12.6 sqm	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre

BAYSIDE PLANNING SCHEME

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
B	8 metres	8 metres	50.3 sqm	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	12 metres	12 metres	113.1 sqm	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metre

Provide at least one new or retained tree in the front setback and the rear setback.

Trees are located in either:

- An area of deep soil as specified in Table B2-7.2; or
- A planter as specified in Table B2-7.2.

Any tree required to be planted under this standard must be of species to the satisfaction of the responsible authority, having regard to the location and relevant geographic factors.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The site context and design response.
- The extent to which the existing and proposed canopy trees contribute to a greener environment and reduce urban heat.
- Whether the growth characteristics of existing trees and proposed canopy trees will provide the required canopy cover.
- The suitability of the planting location, deep soil areas and planter soil volume for proposed canopy trees.
- Whether the species of canopy tree is suited to the soil conditions of the site.

55.02-8

31/03/2025
VC267

Front fences objective

To encourage front fence design that responds to the existing or preferred neighbourhood character.

Standard B2-8

A front fence within 3 metres of a street is:

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.

Table B2-8 Maximum front fence height

Street context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

55.03

31/03/2025
VC267

LIVEABILITY

55.03-1

31/03/2025
VC267

Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3-1

Developments include at least:

- One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.
- One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.
- One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the development provides a range of dwelling sizes and types to meet diverse household needs.

55.03-2

31/03/2025
VC267

Parking location objective

To minimise the impact of vehicular noise within developments on residents.

Standard B3-2

Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:

- 1.5 metres; or
- If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or
- 1 metre where window sills are at least 1.5 metres above ground level.

This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.

Decision guidelines

Before deciding on an application, the responsible authority must consider the design response.

55.03-3

31/03/2025
VC267

Street integration objective

To integrate the layout of development with the street to support the safety and amenity of residents.

Standard B3-3

Where a development fronts a street, a vehicle accessway or abuts public open space:

- Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.
- The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.

Lighting is provided to all external accessways and paths.

Mailboxes are provided for each dwelling and can be communally located.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

55.03-4

31/03/2025
VC267

Entry objectives

To provide each dwelling, apartment development or residential building with its own sense of identity.

To provide entries with weather protection, safe design, natural light and ventilation.

Standard B3-4

Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings

Each dwelling and each residential building has a ground level entry door that:

- Has a direct line of sight from a street, accessway or shared walkway.
- Is not accessed through a garage.
- Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.

Apartment development and residential building with a shared entry

An apartment development and each residential building has:

- A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.
- An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.
- Shared corridors and common areas have at least one source of natural light and natural ventilation.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the entry is visible and easily identifiable from streets and other public areas.
- Whether the entry provides shelter, a sense of address and a transitional space around the entry.

55.03-5

31/03/2025
VC267

Private open space objectives

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B3-5

A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or
 - A balcony with at least the area and dimensions specified in Table B3-5; or
-

- An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.

If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;

- The area and dimensions specified in the schedule must be 25 square metres or less; and
- The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.

If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.

Where ground level private open space is provided an area for clothes drying is provided.

Table B3-5 Private open space for a balcony

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 bedroom dwelling	12 square metres	2.4 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

55.03-6

31/03/2025
VC267

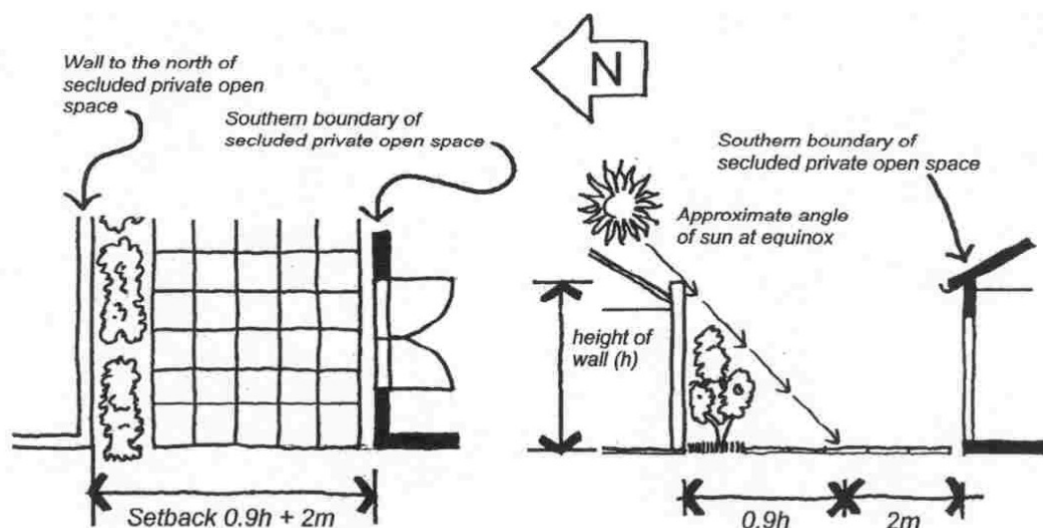
Solar access to open space objective

To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard B3-6

The southern boundary of secluded private open space is set back from any wall on the north of the space at least $(2 + 0.9h)$ metres, where 'h' is the height of the wall.

Diagram B3-6 Solar access to open space

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

55.03-7

02/04/2025
VC276

Functional layout objective

To ensure dwellings provide functional areas that meet the needs of residents.

Standard B3-7

Bedrooms:

- Meet the minimum internal room dimensions specified in Table B3-7.1; and
- Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.

Table B3-7.1 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.

Table B3-7.2 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guideline

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of habitable rooms.

55.03-8

31/03/2025
VC267

Room depth objective

To allow adequate daylight into single aspect habitable rooms.

Standard B3-8

The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen; and
- The kitchen is located furthest from the window; and
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and
- An overhang extends no more than 2m beyond the window of the single aspect habitable room.

In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

55.03-9

31/03/2025
VC267

Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard B3-9

Dwelling (other than a dwelling in or forming part of an apartment development)

A window in an external wall of the building is provided to all habitable rooms.

Habitable rooms in a dwelling have a window that faces:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or
- A verandah provided it is open for at least one third of its perimeter; or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Dwelling in or forming part of an apartment development

A window in an external wall of the building is provided to all habitable rooms.

Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.
- A window clear to the sky.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which habitable rooms are provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.
- Whether there are other windows in the habitable room which have access to daylight.

55.03-10

31/03/2025
VC267

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard B3-10

Dwelling (other than a dwelling in or forming part of an apartment development)

Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Dwelling in or forming part of an apartment development

At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
 - The size, orientation, slope and wind exposure of the site.
-

- The extent to which the orientation and layout of the dwelling maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and site context.

55.03-1131/03/2025
VC267**Storage objective**

To provide adequate storage facilities for each dwelling.

Standard B3-11**Dwelling (other than a dwelling in or forming part of an apartment development)**

Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.

Dwelling in or forming part of an apartment development

Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.

Table B3-11 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

55.03-1231/03/2025
VC267**Accessibility for apartment developments objective**

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B3-12

At least 50 per cent of dwellings in or forming part of an apartment development have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.

BAYSIDE PLANNING SCHEME

Table B3-12 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

55.04

31/03/2025
VC267

55.04-1

31/03/2025
VC267

EXTERNAL AMENITY

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

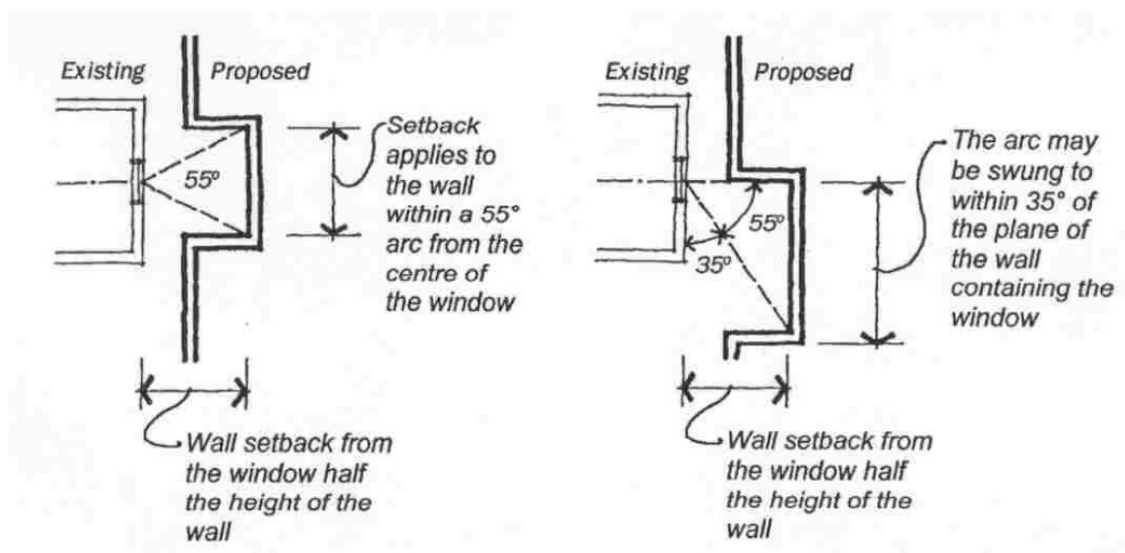
Standard B4-1

Buildings opposite an existing habitable room window provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B4-1 Daylight to existing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling or small second dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings or small second dwellings.

55.04-2

02/04/2025
VC276

Existing north-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard B4-2

Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:

BAYSIDE PLANNING SCHEME

- A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.
- For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.

For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.

Diagram B4-2.1 North-facing windows

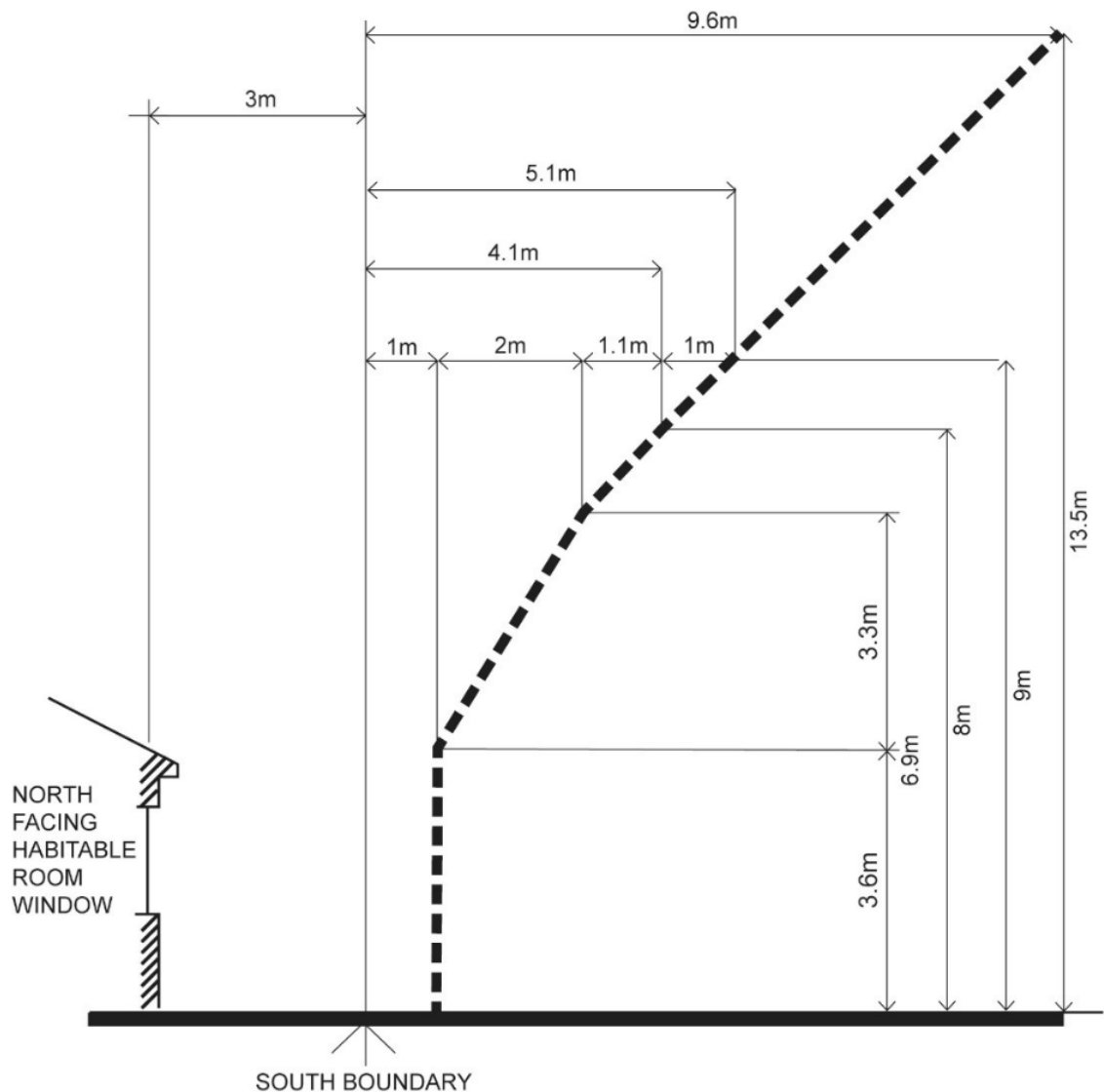
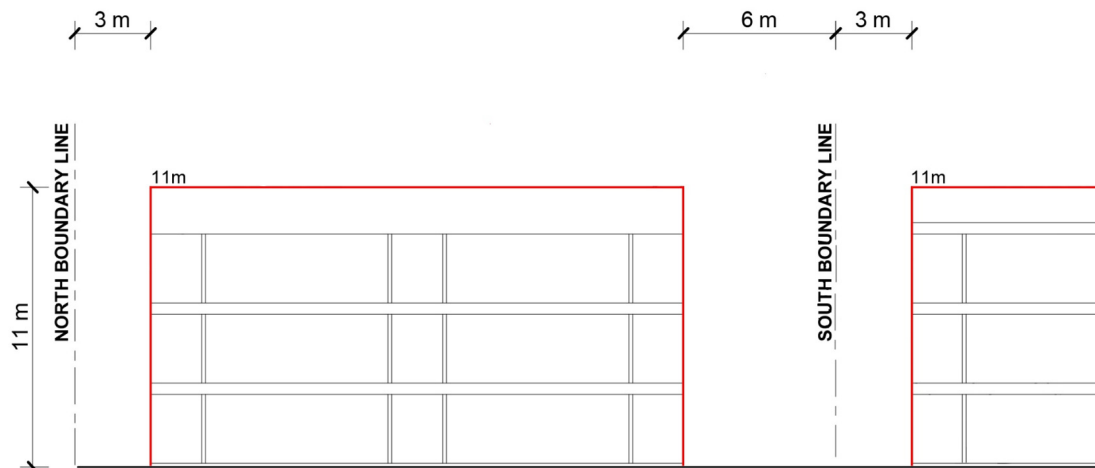


Diagram B4-2.2 North-facing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling or small second dwelling.
- The impact on the amenity of existing dwellings or small second dwellings.

55.04-3

02/04/2025
VC276

Overshadowing secluded open space objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B4-3

The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings or small second dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling or small second dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling or small second dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

55.04-4

31/03/2025
VC267

Overlooking objective

To limit views into existing secluded private open space and habitable room windows.

BAYSIDE PLANNING SCHEME

Standard B4-4

In Clause 55.04-4 a habitable room does not include a bedroom.

A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

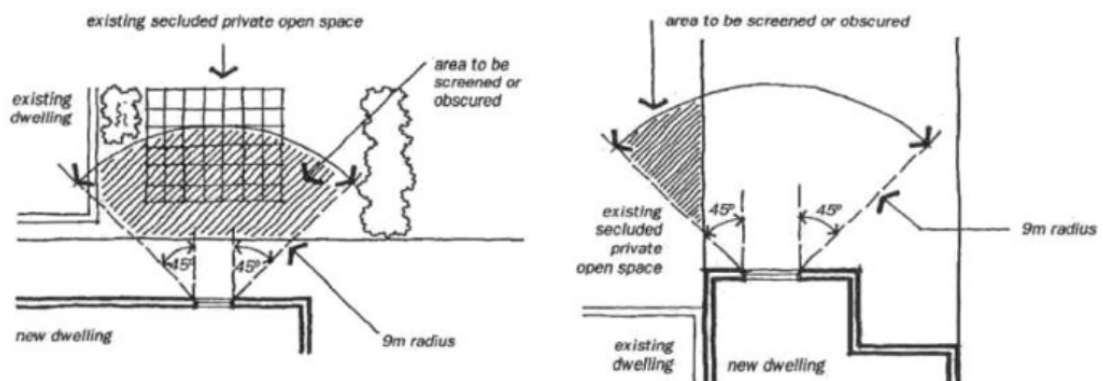
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view are:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4-4 Overlooking



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.

- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings or small second dwellings.
- The internal daylight to and amenity of the proposed dwelling, residential building or small second dwelling.

55.04-5

31/03/2025
VC267

Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B4-5

In Clause 55.04-5 a habitable room does not include a bedroom.

Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:

- Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or
- Has a sill height of at least 1.7 metres above floor level; or
- Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

Direct views are measured at a height of 1.7 metres above floor level and within:

- A 45 degree horizontal angle from the edge of the new window or balcony.
- A 45 degree angle in the downward direction.

Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.0531/03/2025
VC267**55.05-1**04/02/2026
VC265**SUSTAINABILITY****Permeability and stormwater management objective**

To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To contribute to urban cooling.

Standard B5-1

The site area covered by the pervious surfaces is at least 20 percent of the site.

The development includes a stormwater management system designed to:

- Meet the best practice quantitative performance objectives for stormwater quality specified in the *Urban stormwater management guidance* (EPA Publication 1739.1, 2021) of:
 - Suspended solids 80% reduction in mean annual load.
 - Total phosphorus and Total Nitrogen 45% reduction in mean annual load.
 - Litter 70% reduction of mean annual load.

Note:

A certificate generated from a stormwater assessment tool including Stormwater Treatment Objective - Relative Measurement (STORM), Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority may be used to demonstrate the performance objectives for stormwater quality are met.

- Direct flows of stormwater into treatment areas, garden areas, tree pits and permeable surfaces, with drainage of residual flows to the legal point of discharge.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.

55.05-231/03/2025
VC267**Overshadowing domestic solar energy systems objective**

To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

Standard B5-2

Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

BAYSIDE PLANNING SCHEME

This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.

In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the domestic solar energy system has been sited to optimise efficiency and protection from overshadowing.

55.05-3

31/03/2025
VC267

Rooftop solar energy generation area objective

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

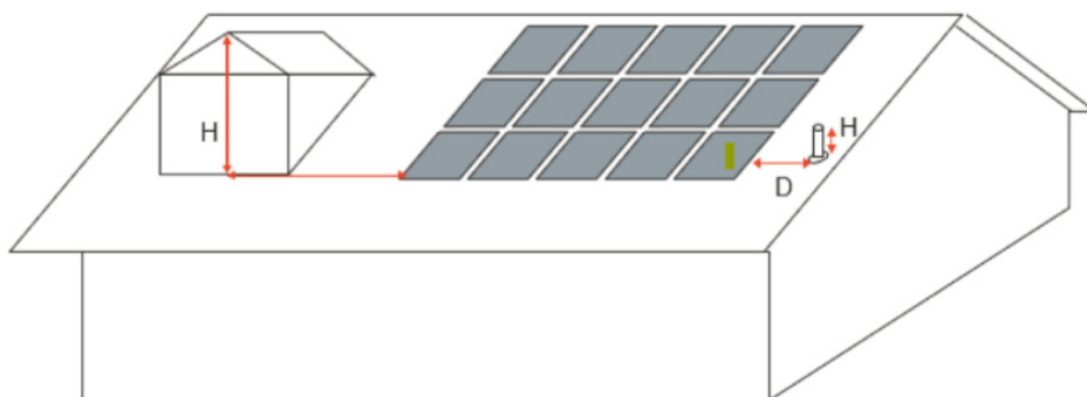
Standard B5-3

In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:

- Has a minimum dimension of 1.7 metres.
- Has a minimum area in accordance with Table B5-3.
- Is oriented to the north, west or east.
- Is positioned on the top two thirds of a pitched roof.
- Can be a contiguous area or multiple smaller areas.
- Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Diagram B5-3 Allowable distance between obstructions and the rooftop solar energy area



Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

Table B5-3 Minimum rooftop solar energy generation area

Number of bedrooms	Minimum roof area
1 bedroom dwelling	15 square metres
2 or 3 bedroom dwelling	26 square metres

Number of bedrooms	Minimum roof area
4 or more bedroom dwelling	34 square metres

This standard does not apply to apartments and residential buildings.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size and orientation of the building.
- The availability of solar access to the rooftop.
- The extent to which the rooftop solar energy generation area is overshadowed by existing buildings, other permanent structures or equipment on the rooftop.

55.05-4

31/03/2025
VC267

Solar protection to new north-facing windows objective

To encourage external shading of north facing windows to minimise summer heat gain.

Standard B5-4

North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.

Decision Guidelines

Before deciding on an application, the responsible authority considers:

- The design response.
- The size and orientation of the lot.
- The type and useability of external solar shading devices, including alternative design responses.

55.05-5

31/03/2025
VC267

Waste and recycling objectives

To ensure dwellings are designed to facilitate waste recycling.

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Standard B5-5

Dwelling (other than a dwelling in or forming part of an apartment development)

The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.

Table B5-5.1 Bin storage

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Individual bin storage area for a dwelling.	1.8 square metres	0.8 metre	1.8 metres

BAYSIDE PLANNING SCHEME

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Shared bin storage area for 3 dwellings or less.	5.4 square metres	0.8 metre	1.8 metres
Shared bin storage area for 4 or more dwellings.	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres

If the development includes a shared bin storage area:

- The shared bin storage area:
 - Is located within 40 metres of a kerbside collection point.
 - Includes a tap for bin washing.
- There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.

Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Dwelling in or forming part of an apartment development

The development includes a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.

Table B5-5.2 Apartment bin storage

Number of dwellings	Minimum area	Minimum depth	Minimum height
15 or less dwellings	0.7 square metres per dwelling in a shared waste storage area	0.8 metres	2.7 metres
16 to 55 dwellings	0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area.	1 metre	2.7 metres
56 or more dwellings	0.5 square metres per dwelling in a shared waste storage area.	1 metre	2.7 metres

Enclosed bin storage areas are ventilated by:

- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or
- A mechanical exhaust ventilation system.

A tap and drain is provided to wash bins.

A continuous path of travel is provided from each dwelling to bin storage areas.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response, including a Waste Management Plan.
- Any relevant waste and recycling objective, policy or statement set out in this planning scheme.
- The functionality and accessibility of waste and recycling facilities, including for people with limited mobility.
- Whether facilities are provided for on-site reuse or management of food and garden organics through composting or other waste recovery.
- Whether waste and recycling facilities are designed to meet the better practice design options specified in Waste management and recycling in multi-unit developments (Sustainability Victoria, 2019).

55.05-6

31/03/2025
VC267

Noise impacts objective

To minimise the impact of mechanical plant noise located in the development.

Standard B5-6

Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

Decision guideline

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling or small second dwelling and the site context.

55.05-7

31/03/2025
VC267

Energy efficiency for apartment developments objectives

To achieve energy efficient dwellings and buildings.

To ensure dwellings achieve adequate thermal efficiency.

Standard B5-7

Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21

BAYSIDE PLANNING SCHEME

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note:

Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

RESIDENTIAL SUBDIVISION

Purpose

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

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application

These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement

An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
 - Must meet all of the objectives included in the clauses specified in the zone.
 - Should meet all of the standards included in the clauses specified in the zone.
-

BAYSIDE PLANNING SCHEME

Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.

56.0116/01/2018
VC142**56.01-1**16/01/2018
VC142**SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE****Subdivision site and context description**

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
 - Site shape, size, dimensions and orientation.
 - Levels and contours of the site.
 - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
 - The siting and use of existing buildings and structures.
 - Street frontage features such as poles, street trees and kerb crossovers.
 - Access points.
 - Location of drainage and other utilities.
 - Easements.
 - Any identified natural or cultural features of the site.
 - Significant views to and from the site.
 - Noise and odour sources or other external influences.
 - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
 - Any other notable features or characteristics of the site.
 - Adjacent uses.
 - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.
 - An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
 - The pattern of subdivision.
 - Existing land uses.
 - The location and use of existing buildings on adjacent land.
 - Abutting street and path widths, materials and detailing.
 - The location and type of significant vegetation.
 - An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
 - Location, distance and type of any nearby public open space and recreational facilities.
 - Direction and distances to local shops and community facilities.
 - Directions and walking distances to public transport routes and stops.
 - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
-

BAYSIDE PLANNING SCHEME

- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Satisfactory subdivision site and context description

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

56.01-2

09/10/2006
VC42

Subdivision design response

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
 - Natural features of the site and identify any features proposed to be altered.
 - Proposed integrated water management system.
 - Proposed staging of the subdivision.
-

56.02

09/10/2006
VC42

56.02-1

09/10/2006
VC42

POLICY IMPLEMENTATION

Strategic implementation objective

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.

56.03

19/09/2017
VC132

56.03-1

09/10/2006
VC42

LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
 - Clause 56.03-2 Activity centres
 - Clause 56.03-3 Planning for community facilities
 - Clause 56.04-1 Lot diversity and distribution
 - Clause 56.06-2 Walking and cycling network
 - Clause 56.06-3 Public transport network
 - Clause 56.06-4 Neighbourhood street network
- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
- Shows the layout of the subdivision in relation to the surrounding area.
- Is designed to be accessible for people with disabilities.

56.03-2

09/10/2006
VC42

Activity centre objective

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.

56.03-3

20/03/2023
VC229

Planning for community facilities objective

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

56.03-4

09/10/2006
VC42

Built environment objective

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

56.03-5

09/10/2006
VC42

Neighbourhood character objective

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:

BAYSIDE PLANNING SCHEME

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
 - Respond to and integrate with the surrounding urban environment.
 - Protect significant vegetation and site features.
-

56.04

09/10/2006
VC42

56.04-1

09/10/2006
VC42

LOT DESIGN

Lot diversity and distribution objectives

To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.

To provide higher housing densities within walking distance of activity centres.

To achieve increased housing densities in designated growth areas.

To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7

A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.

Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.

A range and mix of lot sizes should be provided including lots suitable for the development of:

- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.

Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

56.04-2

08/09/2025
VC282

Lot area and building envelopes objective

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8

An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the *Subdivision Act 1988*, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards 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

09/10/2006
VC42

Solar orientation of lots objective

To provide good solar orientation of lots and solar access for future dwellings.

Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

56.04-4

09/10/2006
VC42

Street orientation objective

To provide a lot layout that contributes to community social interaction, personal safety and property security.

Standard C10

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

56.04-5

09/10/2006
VC42

Common area objectives

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
 - The reasons why the area should be commonly held.
 - Lots participating in the body corporate.
 - The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
-

56.05

01/10/2009
VC58

56.05-1

09/10/2006
VC42

URBAN LANDSCAPE

Integrated urban landscape objectives

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

56.05-2

01/10/2009
VC58

Public open space provision objectives

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.

BAYSIDE PLANNING SCHEME

To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

Standard C13

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
 - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
 - Additional small local parks or public squares in activity centres and higher density residential areas.
 - Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
 - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
 - Sufficient to incorporate two football/cricket ovals
 - Appropriate for the intended use in terms of quality and orientation
 - Located on flat land (which can be cost effectively graded)
 - Located with access to, or making provision for, a recycled or sustainable water supply
 - Adjoin schools and other community facilities where practical
 - Designed to achieve sharing of space between sports.
 - Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
 - Be linked to existing or proposed future public open spaces where appropriate.
 - Be integrated with floodways and encumbered land that is accessible for public recreation.
 - Be suitable for the intended use.
 - Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
 - Maximise passive surveillance.
 - Be integrated with urban water management systems, waterways and other water bodies.
 - Incorporate natural and cultural features where appropriate.
-

56.06

18/06/2010
VC62

ACCESS AND MOBILITY MANAGEMENT

56.06-1

18/06/2010
VC62

Integrated mobility objectives

To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14

An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

56.06-2

09/10/2006
VC42

Walking and cycling network objectives

To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15

The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

56.06-3

09/10/2006
VC42

Public transport network objectives

To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.

To encourage maximum use of public transport.

Standard C16

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
 - Safe and direct movement between activity centres without complicated turning manoeuvres.
 - Direct travel between neighbourhoods and neighbourhood activity centres.
 - A short and safe walk to a public transport stop from most dwellings.

56.06-4

14/05/2021
VC198

Neighbourhood street network objective

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

Standard C17

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Head, Transport for Victoria's arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
 - Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
 - Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
 - Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
 - Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
 - Provide an appropriate level of local traffic dispersal.
-

- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area's character and identity.
- Take account of any identified significant features.

56.06-5

09/10/2006
VC42

Walking and cycling network detail objectives

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Standard C18

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
 - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
 - Discharge of urban run-off.
 - Preservation of all-weather access.
 - Maintenance of a reasonable, comfortable riding quality.
 - A minimum 20 year life span.

- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

56.06-6

09/10/2006
VC42

Public transport network detail objectives

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

Standard C19

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

56.06-7

15/09/2008
VC49

Neighbourhood street network detail objective

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

Standard C20

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
 - Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
 - Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
 - Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
 - Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
-

BAYSIDE PLANNING SCHEME

- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
 - Enable the carriage of vehicles.
 - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
 - Safe passage of pedestrians, cyclists and vehicles.
 - Discharge of urban run-off.
 - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
 - Perform the required integrated water management functions.
 - Delineate the edge of the carriageway for all street users.
 - Provide efficient and comfortable access to abutting lots at appropriate locations.
 - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.
 - Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
 - Water sensitive urban design features.
 - Location and species of proposed street trees and other vegetation.
 - Location of existing vegetation to be retained and proposed treatment to ensure its health.
 - Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
-

56.06-818/06/2010
VC62**Lot access objective**

To provide for safe vehicle access between roads and lots.

Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets**Access Lane**

A side or rear lane principally providing access to parking on lots with another street frontage.

Traffic volume¹	300vpd
Target speed²	10kph
Carriageway width³ & parking provision within street reservation	5.5m ⁶ wide with no parking spaces to be provided. Appropriately signed.
Verge width⁴	No verge required.
Kerbing⁵	
Footpath provision	None Carriageway designed as a shared zone and appropriately signed.
Cycle path provision	None

Access Place

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

Traffic volume¹	300vpd to 1000vpd
Target speed²	15kph
Carriageway width³ & parking provision within street reservation	5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.
Verge width⁴	7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.

BAYSIDE PLANNING SCHEME

Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed. or 1.5m wide footpath offset a minimum distance of 1m from the kerb.
Cycle path provision	None

Access Street - Level 1

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume¹	1000vpd to 2000vpd
Target speed²	30kph
Carriageway width³ & parking provision within street reservation	5.5m wide with 1 hard standing verge parking space per 2 lots.
Verge width⁴	4m minimum each side
Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb.
Cycle path provision	Carriageway designed as a shared zone and appropriately signed.

Access Street - Level 2

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume¹	2000vpd to 3000vpd
Target speed²	40kph
Carriageway width³ & parking provision within street reservation	7m-7.5m wide with parking on both sides of carriageway
Verge width⁴	4.5m minimum each side
Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.

BAYSIDE PLANNING SCHEME

	Be offset a minimum distance of 1m from the kerb.
Cycle path provision	Carriageway designed as a shared zone and appropriately signed.

Connector Street - Level 1

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume¹	3000 vpd
Target speed²	50 kph ⁷ reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.
Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation	▪ 3.5m minimum lane width in each direction of travel. ▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. ▪ For on-street cycling, increase the minimum clear carriageway in each direction by: – 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or – 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or – 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway. ▪ An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. ▪ Bus stops at the kerbside, not indented within the verge.
Verge width⁴	4.5m minimum each side.
Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	▪ 1.5m wide footpaths on both sides. ▪ Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. ▪ Footpaths offset a minimum distance of 1m from the kerb.

Connector Street - Level 2

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume¹	3,000 vpd to 7,000 vpd
Target speed²	60 kph ⁸ or 50km/h reduced to 40kph at schools.

BAYSIDE PLANNING SCHEME

Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation	3.5m minimum lane width in each direction of travel. 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium. 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by a non-trafficable central medium. - For on-street cycling, increase the minimum clear carriageway in each direction by: 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway. - An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. - Bus stops located at the kerbside, not indented within the verge.
Verge width⁴	6m minimum each side (plus central median).
Kerbing⁵	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath and cycle path provision	1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway. - Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. - Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.
Arterial Road	
Traffic volume¹	Greater than 7000vpd
Target speed²	Arterial road design as required by the relevant roads authority.
Carriageway width³ & parking provision within street reservation	Arterial road design as required by the relevant roads authority.

BAYSIDE PLANNING SCHEME

Verge width⁴	Arterial road design as required by the relevant roads authority.
Kerbing⁵	Arterial road design as required by the relevant roads authority.
Footpath & cycle path provision	3m wide shared path on each side or as otherwise required by the relevant roads authority.

Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.
2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.
3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.
4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.
5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.
6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.
7. 50kph is the default urban speed limit in Victoria.
8. Target speed must not exceed the legal speed limit.

56.07

29/10/2015
VC101

INTEGRATED WATER MANAGEMENT

56.07-1

09/10/2006
VC42

Drinking water supply objectives

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

56.07-2

20/03/2023
VC229

Reused and recycled water objective

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-3

01/07/2021
VC203

Waste water management objective

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with a domestic waste water management plan adopted by the relevant council.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-4

04/02/2026
VC265

Stormwater management objectives

To minimise damage to properties and inconvenience to residents from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater management guidance* (Environment Protection Authority - Publication 1739.1, 2021).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

56.08

09/10/2006
VC42

56.08-1

09/10/2006
VC42

SITE MANAGEMENT

Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.

To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26

A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.

56.09

22/08/2014
VC118

UTILITIES

56.09-1

22/08/2014
VC118

Shared trenching objectives

To maximise the opportunities for shared trenching.

To minimise constraints on landscaping within street reserves.

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

56.09-2

01/01/2024
VC250

Electricity and telecommunications objectives

To provide public utilities to each lot in a timely, efficient and cost effective manner.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

56.09-3

15/09/2008
VC49

Fire hydrants objective

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

56.09-4

09/10/2006
VC42

Public lighting objective

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.

To provide pedestrians with a sense of personal safety at night.

To contribute to reducing greenhouse gas emissions and to saving energy.

Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

BAYSIDE PLANNING SCHEME

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.

TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS OF FOUR TO SIX STOREYS

Purpose

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

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To support residential development consistent with the future urban development of the 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 (on land within the urban growth boundary in metropolitan Melbourne),
- 32.07-6, Residential Growth Zone,
- 32.10-5, Housing Choice and Transport Zone.

The objectives contained in clause 57.04-1 do not apply to a development that meets standards E2-2 and E2-3.

The objectives contained in clause 57.04-2 do not apply to a development that meets standard E2-2.

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.

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:

BAYSIDE PLANNING SCHEME

- 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.
-

57.01

16/04/2026
VC300

APPLICATION REQUIREMENTS

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

57.01-1

16/04/2026
VC300

Site description

The site description may use a site plan, photographs or other techniques and must accurately describe:

- The built form and scale 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 and height 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 6 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.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in clause 57.05-4).

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

16/04/2026
VC300

Design response

The design response must explain how the proposed design:

- Responds to the future urban development of the area.
- Derives from and responds to the site description.
- Specifies suitable materials and finish for the external walls.

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.
-

BAYSIDE PLANNING SCHEME

- 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.
- Location of site services.

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.

57.0216/04/2026
VC300**57.02-1**16/04/2026
VC300**URBAN CONTEXT****Street setback objectives**

To ensure that the setbacks of buildings from a street provide space for canopy trees and make efficient use of the site.

To ensure that the setbacks of buildings from a street respond to the future urban development of the area.

Standard E2-1

Walls of buildings are set back from streets:

- At least the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, the distance specified in Table E2-1.

Entry canopies, pergolas and awnings for windows or doors may encroach up to 1.5 metres into the setbacks of this standard.

Table E2-1 Street setback

Minimum setback from front street	Minimum setback from side street
4.5 metres	3 metres

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.
- 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.
- Whether a different setback affects the ability to retain or plant canopy trees.

57.02-217/04/2026
VC308**Side and rear setbacks objectives**

To ensure the setback of a building from a boundary provides sufficient space for canopy trees and landscaping.

To ensure the setback of a building from a boundary responds to the future urban development of the area and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard E2-2

A new building not on or within 200mm of a boundary is set back from side or rear boundaries at least 4.5 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 13.5 metres and at least 12 metres for a height over 13.5 metres between south 30 degrees west to south 30 degrees east.

Sunblinds, awnings, privacy screens, eaves, facias, gutters, rainwater goods, flues, pipes, domestic water tanks, heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.

Stairways and ramps (including landings) that are less than 1 metre above the ground level may encroach into the side and rear setbacks.

BAYSIDE PLANNING SCHEME

Pergolas and shade sails may encroach into the side and rear setbacks.

Diagram E2-2.1 Side and rear setbacks

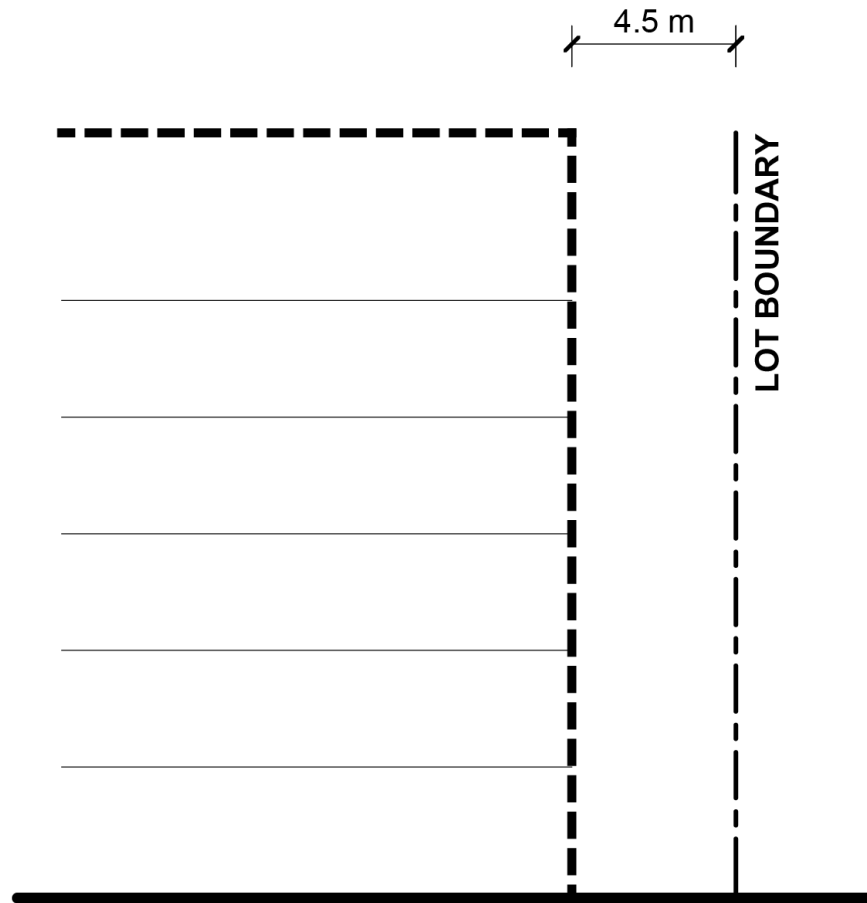
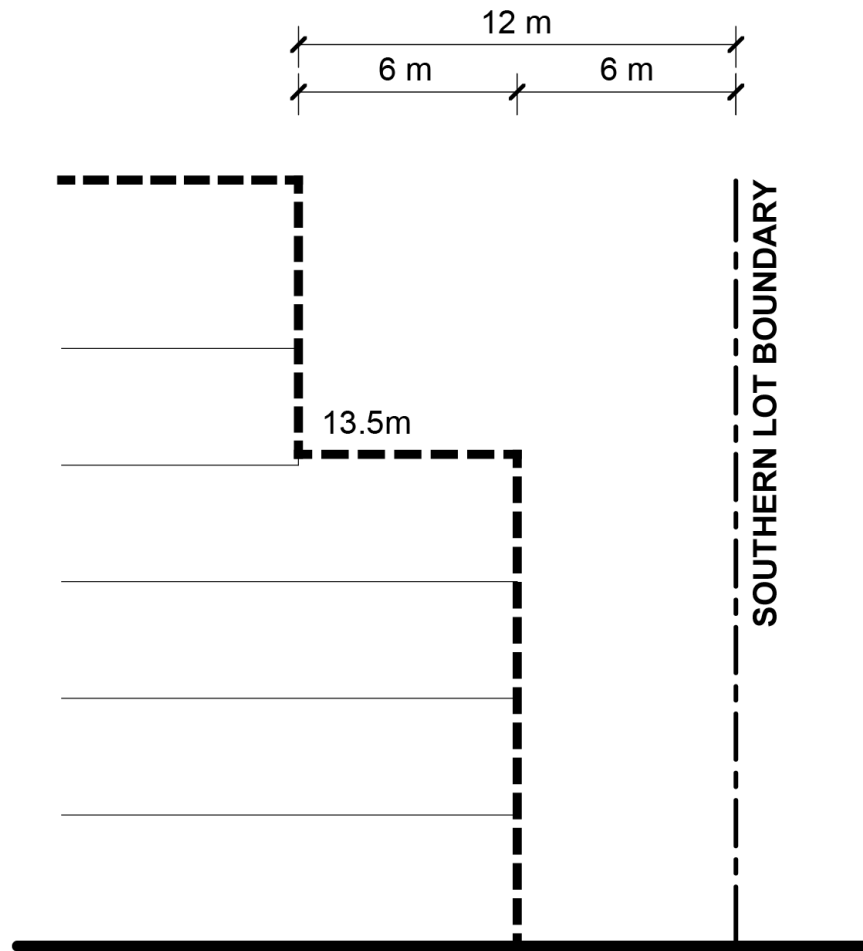


Diagram E2-2.2 Side and rear setbacks to a southern boundary



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.
- Whether the boundary abuts a public open space and how the interface responds to the public open space.
- The impact on the amenity of the habitable room windows and private open space of existing dwellings or small second dwellings.
- The relationship between the setbacks and those of existing adjacent buildings, including the interface with laneways.
- Whether a different setback would be more appropriate, considering the slope of the land and effective height of the building in relation to adjoining properties.
- Whether a different setback in a rear yard affects the ability to provide landscaping or retain or plant canopy trees.

57.02-316/04/2026
VC300**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary responds to the future urban development of the area and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard E2-3

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 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 urban design objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the site context or contribute to the future urban development of the area.
- The orientation of the boundary.
- The impact on the amenity of existing dwellings or small second dwellings.
- 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 location of existing light courts and habitable room windows.

57.02-416/04/2026
VC300**Site coverage objective**

To ensure that the site coverage responds to the future urban development of the area and to the features of the site.

Standard E2-4

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, 70 per cent.

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.
-

- Any constraints imposed by existing development or the features of the site.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.
- Whether the arrangement of buildings on the site is efficient and allows for separation between buildings.

57.02-5

16/04/2026
VC300

Access objectives

To ensure the number and design of vehicle crossovers responds to the future urban development of the area.

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

Standard E2-5

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 urban design objective, policy or statement set out in this scheme.
- 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.
- 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.

57.02-6

16/04/2026
VC300

Tree canopy objectives

To provide tree canopy and landscaping that responds to the future urban development of the area.

To preserve existing tree 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.

To ensure that basements allow for space for deep soil planting at the front of a site.

Standard E2-6

Basements of a building are setback at least 3 metres from the frontage and at least one other boundary.

Provide a minimum canopy cover as specified in Table E2-6.1.

Table E2-6.1 Canopy cover

Site area	Canopy cover
1000 square metres or less	10% of site area

BAYSIDE PLANNING SCHEME

Site area	Canopy cover
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 E2-6.2.

Existing trees that are retained can be used in calculating canopy cover.

Table E2-6.2 Tree type, canopy cover, deep soil and planter requirements

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity	Minimum mature canopy cover	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Minimum depth of planter soil
A	4 metres	6 metres	12.6 square metres	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metres
B	8 metres	8 metres	50.3 square metres	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	12 metres	12 metres	113.1 square metres	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metres

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 E2-6.2; or
- A planter as specified in Table E2-6.2

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 urban design objective, landscaping or environmental policy, objective, strategy or statement set out in this planning 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 proposed location and deep soil area for proposed canopy trees.

- Whether the species of canopy tree is suited to the soil conditions of the site.
- The suitability of the proposed landscaping in communal outdoor open space.

57.02-716/04/2026
VC300**Front fences objective**

To encourage front fence design that responds to the future urban development of the area.

Standard E2-7

A front fence within 3 metres of a street is:

- The maximum height and transparency specified in a schedule to the zone, or
- If no maximum height or transparency is specified in a schedule to the zone, the maximum height and transparency specified in Table E2-7.

Transparency is measured as the percentage of the fence that is open when viewed perpendicular to the fence line.

Table E2-7 Maximum front fence height

Street context	Maximum front fence height	Minimum front fence transparency
Streets in a Transport Zone 2	2 metres	25%
Other streets	1.5 metres	25%

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 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

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VC300

57.03-1

16/04/2026
VC300

LIVEABILITY

Parking location objective

To minimise the impact of vehicular noise within developments on residents.

Standard E3-1

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.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The need for landscaping adjacent to the accessway and car park.

57.03-2

16/04/2026
VC300

Street integration objectives

To integrate the layout of development with the street and open spaces to support the safety and amenity of residents.

To support development that activates and provides passive surveillance to streets and public open spaces.

Standard E3-2

Development is oriented to front a street.

Where a development fronts a street or abuts public open space:

- Passive surveillance is provided by a direct view from at least one balcony or habitable room window at each storey of the building to each street and public open space.
- The total cumulative width of all site services located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage.

Pedestrian entries are located on street frontages.

Car parking and internal waste collection areas are visually concealed from the street.

Lighting is provided to all external accessways and paths.

One mailbox is provided for each dwelling, and at least one parcel locker is provided for every five dwellings. Mailboxes and parcel lockers are communally located.

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 design of screening for services.
 - Whether the pedestrian entry is to an active frontage.
-

57.03-316/04/2026
VC300**Building entry and circulation objectives**

To provide safe, weather protected building entries with a sense of address.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal common circulation areas provide adequate access to daylight and natural ventilation.

Standard E3-3

An apartment development or residential building has:

- A ground level entry door, gate or walkway with a direct line of sight from a street.
- An external covered area over the entry door to the building of at least 1.44 square metres with a minimum dimension of 1.2 metres.

Pedestrian building entries are separated from vehicle entry points.

Shared corridors and common areas:

- Have at least one source of natural light and natural ventilation.
- Are unobstructed by building services; and
- Have a clear sightline from the building entry to the lift lobby area at ground level.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the building 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.
- The useability and amenity of internal common areas and circulation spaces based on daylight access and the natural ventilation they will receive.
- The level of passive surveillance to the street, public open space and communal space.
- The length of corridors and any concealed areas.

57.03-417/04/2026
VC308**Private open space objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard E3-4

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 15 square metres of private open space at ground level or on a podium, with a minimum dimension of 2.4 metres width; or
- A balcony with at least the area and dimensions specified in Table E3-4; 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 private open space, the required area is increased by 1.5 square metres.

Table E3-4 Private open space for a balcony

Dwelling type	Minimum area	Minimum length (parallel to the external wall)	Minimum width
Studio or 1 bedroom dwelling	8 square metres	3 metres	1.8 metres
2 bedroom dwelling	8 square metres	3 metres	2 metres
3 or more bedroom dwelling	12 square metres	3 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.

57.03-5

17/04/2026
VC308

Communal space objectives

To provide communal space that meets the recreation and amenity needs of residents.

To ensure that communal space is accessible, practical, attractive and easily maintained.

To ensure that communal space is integrated with the layout of the development and enhances resident amenity.

Standard E3-5

A development of 10 or more dwellings includes communal space accessible to all residents of at least:

- 2.5 square metres per dwelling; or
- 25 per cent of the site area, whichever is the lesser.

This may consist of multiple separate areas of communal space.

This may include indoor communal space or outdoor communal space.

If outdoor communal space is provided, 50 per cent of the area or 25 square metres whichever is the greater, is not overshadowed for a minimum of two hours between 9 am and 3 pm on 22 September.

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.
- The useability of the communal space, including its size and accessibility.

57.03-6

17/04/2026
VC308

Functional layout objective

To ensure dwellings provide functional areas that meet the needs of residents.

Standard E3-6

Bedrooms:

- Meet the minimum internal room dimensions specified in Table E3-6.1; and
- Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.

Table E3-6.1 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 E3-6.2.

Table E3-6.2 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 square metres
2 or more bedroom dwelling	3.6 metres	12 square metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of habitable rooms

57.03-7

16/04/2026
VC300

Room depth objective

To allow adequate daylight into single aspect habitable rooms.

Standard E3-7

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.
- 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 is measured from the external surface of the habitable room window to the rear wall of the room.

For the purposes of clause 57.03-7 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.

57.03-8

16/04/2026
VC300

Daylight to new windows objective

To allow adequate daylight into new habitable room windows.

Standard E3-8

Habitable rooms are to have a window in an external wall of the building.

A habitable room window is not located in a basement.

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.

57.03-9

16/04/2026
VC300

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard E3-9

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.

57.03-10

16/04/2026
VC300

Storage objective

To provide adequate storage facilities for each dwelling.

Standard E3-10

Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table E3-10.

Table E3-10 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.

57.03-11

16/04/2026
VC300

Accessibility objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard E3-11

At least 50 per cent of dwellings 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 E3-11

Table E3-11 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: ▪ A slide door, or	Either: ▪ A slide door, or

BAYSIDE PLANNING SCHEME

	Design option A	Design option B
	- A door that opens outwards, or - A door that opens inwards that is clear of the circulation area and has readily removable hinges.	- A door that opens outwards, or - A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: - A minimum area of 1.2 metres by 1.2 metres. - Located in front of the shower and the toilet. - Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: - A minimum width of 1 metre. - The full length of the bathroom and a minimum length of 2.7 metres. - Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

Decision guidelines

None specified.

57.03-12

16/04/2026
VC300

Building separation within a site objective

To ensure that the separation between buildings (other than a light court) within a site provides a reasonable outlook and adequate daylight to new dwellings, and sufficient space for canopy trees and landscaping.

Standard E3-12

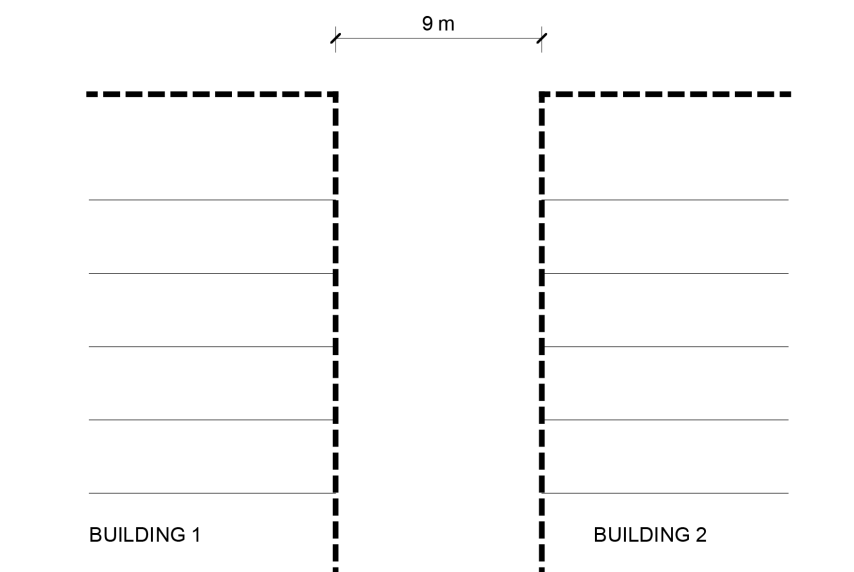
Walls of buildings that contain a habitable room window or balcony are set back from other walls of buildings on a site by at least 9 metres. This does not apply to a wall that forms part of a light court.

Sunblinds, awnings, privacy screens, eaves, facias, gutters, rainwater goods, flues, pipes, domestic water tanks, heating or cooling equipment or other services may encroach up to 0.5 metres into the building separation setback.

Stairways and ramps (including landings) that are less than 1 metre above the ground level may encroach into the building separation setback.

Pergolas and shade sails may encroach into the building separation setback.

Diagram E3-12 Building separation within a site



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The design, function and layout of the building separation setback.
- Whether the building separation setback provides reasonable outlook and adequate daylight to new dwellings.
- Views between private open spaces and habitable room windows.
- Whether a different building separation setback affects the ability to retain or plant canopy trees.

57.03-13

16/04/2026
VC300

Light courts objective

To ensure that a light court provides adequate daylight into a new bedroom or non-habitable room window.

Standard E3-13

A light court:

- Has a minimum dimension of at least 4.5 metres and an area of at least 20.25 square metres.
- Has a maximum dimension of 6 metres and a maximum area of 36 square metres.
- Is enclosed by the wall of a building for at least 75 per cent of its perimeter.
- Is clear to the sky.
- Is not the primary source of daylight to a living room or private open space.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

BAYSIDE PLANNING SCHEME

- Whether the light court provides adequate daylight to a new bedroom or non-habitable room window.
 - The arrangement of windows facing the light court.
-

57.0416/04/2026
VC300**EXTERNAL AMENITY****57.04-1**16/04/2026
VC300**Overshadowing secluded private open space objective**

To ensure that any part of a building that does not meet standards E2-2 and E2-3 does not significantly overshadow existing secluded private open space.

Standard E4-1

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 is not further reduced.

This standard does not apply to any part of a new building that meets standards E2-2 and E2-3.

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.

57.04-217/04/2026
VC308**Overlooking objective**

To limit views from any part of a building that does not meet standard E2-2 into existing secluded private open space and habitable room windows.

Standard E4-2

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 6 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 1.5 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 6 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 a sill height of at least 1.5 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.5 metre above floor level; or
- Has permanently fixed external screens to at least 1.5 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 1.5 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:

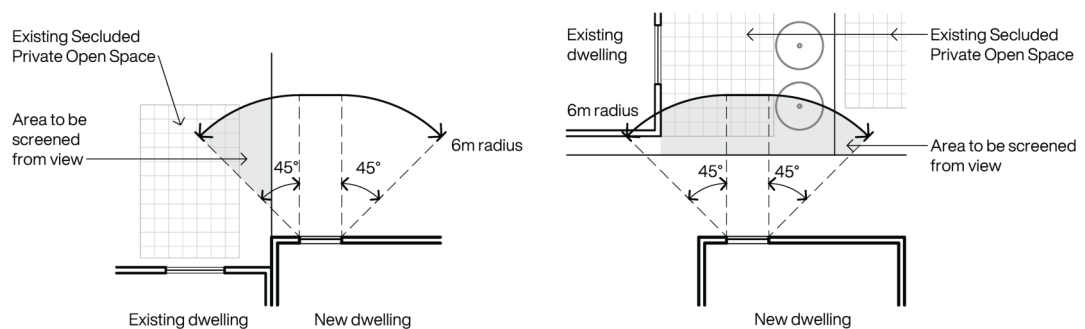
BAYSIDE PLANNING SCHEME

- 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 1.5 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.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio that is located in any part of a building that meets standard E2-2.

Diagram E4-2 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.
- The orientation and location of windows to limit views.

57.0516/04/2026
VC300**57.05-1**17/04/2026
VC308**SUSTAINABILITY****Permeability and stormwater management objectives**

To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.

To facilitate on-site stormwater infiltration.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To contribute to urban cooling.

Standard E5-1

The site area covered by the pervious surfaces is at least 20 percent of the site.

Buildings are connected to a non-potable dual pipe reticulate water supply, where available from the water authority.

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 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.
- 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.

57.05-216/04/2026
VC300**Waste and recycling objectives**

To ensure dwellings are designed to facilitate waste recycling.

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Standard E5-2

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 E5-2.

Table E5-2 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 are 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).

57.05-3

17/04/2026
VC308

Noise impacts objectives

To minimise the impact of mechanical plant noise located in the development.

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

Standard E5-3

Mechanical plant, including mechanical car storage, lift facilities, building services, non-residential uses, car parking, communal areas 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.

Buildings within a noise influence area specified in Table E5-3 are designed and constructed to achieve the following noise levels:

BAYSIDE PLANNING SCHEME

- 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 are assessed in unfurnished rooms with a finished floor and the windows closed.

Table E5-3 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	
Railways 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

Decision guidelines

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 the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- 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.

57.05-4

16/04/2026
VC300

Energy efficiency objectives

To achieve energy efficient dwellings and buildings.

To ensure dwellings achieve adequate thermal efficiency.

Standard E5-4

Dwellings located in a climate zone identified in Table E5-4 do not exceed the maximum NatHERS annual cooling load.

Table E5-4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22

BAYSIDE PLANNING SCHEME

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
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.

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 seven storeys or more, 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

16/01/2018
VC142

58.01-1

13/04/2017
VC136

URBAN CONTEXT REPORT AND DESIGN RESPONSE

Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

58.01-2

16/01/2018
VC142

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

58.01-3

20/12/2021
VC174

Design response

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Selects materials and finishes for the external walls.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

58.02

31/07/2018
VC148

58.02-1

13/04/2017
VC136

URBAN CONTEXT

Urban context objectives

To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

Standard D1

The design response must be appropriate to the urban context and the site.

The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

58.02-2

31/07/2018
VC148

Residential policy objectives

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

58.02-3

13/04/2017
VC136

Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

58.02-4

01/01/2024
VC250

Infrastructure objectives

To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard D4

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

58.02-5

20/12/2021
VC174

Integration with the street objective

To integrate the layout of development with the street.

To support development that activates street frontage.

Standard D5

Development should be oriented to front existing and proposed streets.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
 - The design response.
-

58.0331/07/2018
VC148**58.03-1**14/12/2023
VC253**SITE LAYOUT****Energy efficiency objectives**

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard D6

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M ² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

58.03-2

14/12/2023
VC253

Communal open space objective

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, practical, attractive, easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard D7

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
 - Provide passive surveillance opportunities, where appropriate.
 - Provide outlook for as many dwellings as practicable.
 - Avoid overlooking into habitable rooms and private open space of new dwellings.
 - Minimise noise impacts to new and existing dwellings and existing small second dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The availability of and access to public open space.

58.03-3

13/04/2017
VC136

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

58.03-4

13/04/2017
VC136

Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-5

15/03/2024
VC256

Landscaping objectives

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard D10

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
 - Provide canopy cover through canopy trees that are:
 - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
 - Consistent with the canopy diameter and height at maturity specified in Table D4.
 - Located in communal outdoor open space or common areas or street frontages.
 - Comprise smaller trees, shrubs and ground cover, including flowering native species.
 - Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
 - Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
 - Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
 - Protect any predominant landscape features of the area.
-

BAYSIDE PLANNING SCHEME

- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table D3 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter soil	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table D4 Tree type

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character, landscaping or environmental policy, objective, strategy or statement set out in this planning scheme.
- The design response.
- The health of any trees to be removed.
- The suitability of the proposed location, deep soil area and planter volume for canopy trees.
- The suitability of the proposed landscaping in communal outdoor open space.
- The type and quantity of canopy cover, including any alternatives to trees.
- The soil type and drainage patterns of the site.
- The ongoing management of landscaping, including any irrigation systems.

58.03-6

20/12/2021
VC174

Access objective

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the street.
- The impact on the safety of pedestrians or cyclists.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and road reserve.

58.03-7

13/04/2017
VC136

Parking location objectives

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
 - Be secure.
 - Be well ventilated if enclosed.
-

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-8

04/02/2026
VC265

Integrated water and stormwater management objectives

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater management guidance* (Environment Protection Authority - Publication 1739.1, 2021).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
 - The design response.
 - Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
 - Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
 - The capacity of the drainage network to accommodate additional stormwater.
 - Whether the stormwater treatment areas can be effectively maintained.
 - Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
-

58.04

13/04/2017
VC136

58.04-1

14/12/2023
VC253

AMENITY IMPACTS

Building setback objectives

To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

To limit views into habitable room windows and private open space of new and existing dwellings.

To provide a reasonable outlook from new dwellings and existing small second dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings and existing small second dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings and existing small second dwellings.
- The existing extent of overlooking into existing dwellings or small second dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

58.04-2

13/04/2017
VC136

Internal views objective

To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.04-3

14/12/2023
VC253

Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings or small second dwellings.

To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling or small second dwelling and the site context.

58.04-4

04/05/2022
VC210

Wind impacts objective

To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D17

Development of five or more storeys, excluding a basement should:

- not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table D6 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas, ▪ 4 metres per second for standing areas, ▪ 5 metres per second for walking areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The urban context report.
- The design response.

BAYSIDE PLANNING SCHEME

- The safety, functionality and amenity of public, private and communal open space areas.
 - Whether it has been demonstrated by a suitably qualified specialist that the development will not generate unacceptable wind impacts within the site or on surrounding land.
-

58.0513/04/2017
VC136**58.05-1**04/05/2022
VC210**ON-SITE AMENITY AND FACILITIES****Accessibility objective**

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D18

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.

Table D7 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

58.05-204/05/2022
VC210**Building entry and circulation objectives**

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard D19

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
 - Include at least one source of natural light and natural ventilation.
 - Avoid obstruction from building services.
 - Maintain clear sight lines.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

58.05-3

04/05/2022
VC210

Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Table D8 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 30 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
- The useability and functionality of any additional living area or bedroom area, including its size and layout.

58.05-4

04/05/2022
VC210

Storage objective

To provide adequate storage facilities for each dwelling.

Standard D21

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Table D10 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres

BAYSIDE PLANNING SCHEME

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

58.06

13/04/2017
VC136

DETAILED DESIGN

58.06-1

04/05/2022
VC210

Common property objectives

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard D22

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

58.06-2

04/05/2022
VC210

Site services objectives

To ensure that site services are accessible and can be installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard D23

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.

Decision guideline

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

58.06-3

04/05/2022
VC210

Waste and recycling objectives

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard D24

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
 - Adequate in size, durable, waterproof and blend in with the development.
 - Adequately ventilated.
 - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
 - Adequate facilities for bin washing. These areas should be adequately ventilated.
 - Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
-

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

58.06-4

04/05/2022
VC210

External walls and materials objective

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

Standard D25

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant building design and urban design objective, policy or statement set out in this scheme.
 - The urban context report.
 - The design response.
-

58.0713/04/2017
VC136**58.07-1**04/05/2022
VC210**INTERNAL AMENITY****Functional layout objective**

To ensure dwellings provide functional areas that meet the needs of residents.

Standard D26

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D11 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Table D12 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

58.07-204/05/2022
VC210**Room depth objective**

To allow adequate daylight into single aspect habitable rooms.

Standard D27

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

58.07-3

04/05/2022
VC210

Windows objective

To allow adequate daylight into new habitable room windows.

Standard D28

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

58.07-4

04/05/2022
VC210

Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard D29

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
 - The size, orientation, slope and wind exposure of the site.
-

BAYSIDE PLANNING SCHEME

- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

VICSMART APPLICATIONS AND REQUIREMENTS

59.0131/07/2018
VC148**59.01-1**01/07/2021
VC203**REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
 - The location of any easements on the subject land.
 - The location of the approved stormwater discharge point.
 - The location and details of any significant vegetation.
 - The location of any street trees, poles, pits or other street furniture.
 - Existing and proposed vehicle access to the lots.
 - Any abutting roads.
 - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
 - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
 - The existing use of the land and its possible future development.
 - The reason for the realignment of the common boundary.
 - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and the risks to human health and the environment of a on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

59.01-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
 - Respond to and integrate with the surrounding urban or rural environment.
 - Protect significant vegetation.
-

BAYSIDE PLANNING SCHEME

- Appropriately accommodate any existing or proposed easements on the lots.
 - Protect solar access for existing and any future dwellings on the lots.
 - Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
 - Appropriately accommodate private open space.
 - Appropriately accommodate the provision of utility services to each lot.
 - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
 - Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
 - Appropriately accommodate the existing use and possible future development of the land.
- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
 - If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
 - The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
 - Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
-

59.0231/07/2018
VC148**59.02-1**01/07/2021
VC203**SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings, car parking areas and private open space.
 - The location, shape and size of the proposed lots to be created.
 - The location of any easements on the subject land.
 - The location and details of any significant vegetation.
 - The location of the approved stormwater discharge point.
 - Any abutting roads.
 - The location of any street trees, poles, pits and other street furniture.
 - Existing and proposed vehicle access to the lots.
 - Any loading bays and vehicle standing areas.
 - Any waste storage areas.
 - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and manage the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

59.02-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
 - Are consistent with the 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.
-

BAYSIDE PLANNING SCHEME

- Appropriately accommodate any existing loading bay and vehicle storage area.
 - Appropriately accommodate significant vegetation.
 - Appropriately accommodate existing or proposed easements on the lots.
 - Appropriately accommodate the provision of utility services to each lot.
 - Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.
-
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
 - For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.
 - Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.
 - Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.
 - The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
 - Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
-

59.03

31/07/2018
VC148

FRONT FENCE IN A RESIDENTIAL ZONE

59.03-1

31/07/2018
VC148

Information requirements

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

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location, length, height and design of the proposed fence including details of materials.
 - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

59.03-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
 - Appropriate to the neighbourhood character and the site.
 - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
 - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
 - Complement the design of the dwelling.
 - The extent to which slope and retaining walls reduce the effective height of the proposed fence.
 - Whether the proposed fence is needed to minimise noise intrusion.
 - The reason for the proposed height.
-

59.0431/07/2018
VC148**59.04-1**08/09/2025
VC282**BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location, height and use of buildings and works on adjoining land.
 - Relevant ground levels.
 - Any contaminated soils and filled areas, where known.
 - The layout of existing and proposed buildings and works.
 - All existing and proposed driveways, car parking, bicycle parking and loading areas.
 - Existing and proposed landscape areas.
 - All external storage and waste treatment areas.
 - The location of easements and services.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
 - The built form and character of adjoining and nearby buildings.
 - The heritage character of any adjoining heritage places.
 - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
 - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
 - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
 - The requirements in the following standards of Clause 54:
 - 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

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
 - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
 - Whether the development is compatible with residential use.
 - The scale and intensity of the development.
 - The design, height, setback and appearance of the proposed buildings and works.

59.0531/07/2018
VC148**59.05-1**08/09/2025
VC282**BUILDINGS AND WORKS IN AN OVERLAY****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location, height and design of the proposed buildings and works including details of materials.
 - The location of any existing buildings, including fences and trees.
 - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Significant Landscape Overlay, a written description of the proposal including:
 - How the proposal responds to the landscape significance and objectives specified in a schedule to the overlay.
 - The impact of the proposed buildings and works on the significance of the landscape.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
 - The built form and character of adjoining and nearby buildings.
 - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
 - If demolition is proposed, the reason for the demolition.
 - How the proposal meets the requirements of Clauses 54.02-1, 54.02-2, 54.02-3, 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.

59.05-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.

BAYSIDE PLANNING SCHEME

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
 - For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
 - For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
 - Any relevant decision guideline specified in the overlay and the schedule to the overlay.
-

59.0620/03/2023
VC229**59.06-1**31/07/2018
VC148**REMOVE, DESTROY OR LOP ONE TREE****Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape, size and slope of the site.
 - The location of the tree to be removed, destroyed or lopped.
 - The location and type of other significant vegetation on the site.
 - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
 - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
 - The reason the tree is to be removed, destroyed or lopped.
 - If provision is to be made to replace the tree elsewhere on the land.
 - If the tree is to be lopped, the extent of lopping proposed.
 - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

59.06-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
 - Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
 - Whether the removal or lopping of the tree is needed because of the health of the tree.
 - Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
 - Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
 - Whether the removal or lopping of the tree is needed to create a defensible space to reduce the risk of bushfire to life and property.
 - If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
 - Whether provision is made to plant a new tree elsewhere on the land.
 - The reasons for removing the tree including the health of the tree to be removed.
 - The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
 - Any relevant decision guideline specified in the overlay or the schedule to the overlay.
-

59.07

31/07/2018
VC148

59.07-1

04/11/2022
VC226

APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings, including fences and trees.
 - The location, height and design of the proposed building or works including details of proposed materials.
 - Any buildings to be demolished.
 - An elevation of the proposed building.
 - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
 - The location, style, size, colour and materials of any proposed solar energy system (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
 - Any impacts on the significance of the heritage place.
 - How the proposal responds to any relevant local heritage policy set out in the planning scheme.
 - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
 - The location, size and design of the proposed sign on the site or building.
 - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy system is proposed that is visible from a street (other than a lane) or public park, measures proposed to minimise the visibility of the system and protect the structural integrity of heritage features.

59.07-2

04/11/2022
VC226

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

General

- The significance of the heritage place and whether the proposal will adversely affect that significance.
-

BAYSIDE PLANNING SCHEME

- 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.
-

59.0831/07/2018
VC148**APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY****59.08-1**31/07/2018
VC148**Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - The 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.

59.08-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
 - Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
 - If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
 - The existing use and development of the land.
 - Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
 - The susceptibility of the development to flooding and flood damage.
 - The flood risk including:
 - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
 - The flood warning time available.
 - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
 - The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
-

59.09

31/07/2018
VC148

59.09-1

31/07/2018
VC148

SIGNS

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
 - The location of the proposed sign on the site or building and distance from property boundaries.
 - The location and size of existing signs on the site including details of any signs to be retained or removed.
 - The location and form of existing signs on adjoining properties and in the locality.
 - The location of closest traffic control signs.
 - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

59.09-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
 - Whether the proposal will impact the character of the area including:
 - Natural environment, heritage, waterway, open space and rural landscape values.
 - The desired future character of the area.
 - The cumulative impact of signs on the character of an area.
 - The need to avoid visual disorder or clutter of signs.
 - Whether the proposal will impact views and vistas including:
 - Important views from the public realm.
 - Significant public views.
 - Views to existing signs.
 - Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
 - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
 - Screening of unsightly elements.
 - The number, scale and location of existing signs.
 - The ability to rationalise or simplify the number of signs.
 - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
-

BAYSIDE PLANNING SCHEME

- The extent to which the proposed sign requires the removal of vegetation.
 - Whether the proposed sign is consistent with any outdoor advertising theme.
 - Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
 - Whether the proposed sign will adversely impact road safety.
-

59.10

31/07/2018
VC148

CAR PARKING

59.10-1

31/07/2018
VC148

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - The location of existing buildings.
 - All car parking spaces and access lanes.
 - Allocation of car parking spaces to different uses or tenancies, if applicable.
 - Landscaping and sensitive water design treatments.
- A written statement that describes:
 - The proposed use of the site, number of employees and patrons and hours of operation.
 - The previous use of the site.
 - The site and floor area to be occupied.
 - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
 - The total number of car parking spaces provided.
 - The likely impact of a reduction in car parking on the amenity of the area and on the area's existing car parking.

59.10-2

31/07/2018
VC148

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
 - The objectives contained in the schedule to the Parking Overlay.
 - Whether there is availability of alternative car parking in the locality including:
 - Efficiencies gained from the consolidation of shared car parking spaces.
 - Public car parks intended to serve the land.
 - On street parking in non-residential zones.
 - Streets in residential zones specifically managed for non-residential parking.
 - The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
 - Whether there is any car parking deficiency associated with the existing use of the land.
 - Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
 - Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
 - Whether there is a need to create safe, functional and attractive parking areas.
 - The availability of public transport in the locality of the land.
-

BAYSIDE PLANNING SCHEME

- 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.
-

59.1116/10/2025
VC288**59.11-1**16/10/2025
VC288**TWO LOT RESIDENTIAL SUBDIVISION****Information requirements**

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

16/10/2025
VC288

Decision guidelines

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.
-

59.1231/07/2018
VC148**TWO LOT SUBDIVISION IN A RURAL ZONE****59.12-1**31/07/2018
VC148**Information requirements**

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The location, shape and size of the site.
 - The location of any existing buildings and associated works.
 - The location, shape and size of the proposed lots to be created.
 - The location of any easements on the subject land.
 - The location of any significant vegetation, waterways and wetlands.
 - The location of the approved stormwater discharge point and effluent disposal areas.
 - Any abutting roads.
 - Existing and proposed vehicle access to the lots.

59.12-231/07/2018
VC148**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
 - Are consistent with the layout of existing buildings and associated works on the land.
 - Appropriately accommodate significant vegetation.
 - Appropriately accommodate existing or proposed easements on the lots.
 - Appropriately accommodate the provision of utility services to each lot.
 - Appropriately accommodate existing and proposed vehicle access to the lots.
 - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
 - The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
 - Any Regional Catchment Strategy applying to the land.
 - If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
 - Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.
-

59.13

31/07/2018
VC148

BUILDINGS AND WORKS IN A RURAL ZONE

59.13-1

31/07/2018
VC148

Information requirements

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
 - The boundaries and dimensions of the site.
 - Adjoining roads.
 - The location of any waterway or wetlands.
 - The location and use of buildings and works on adjoining land.
 - Relevant ground levels.
 - The layout of existing and proposed buildings and works.
 - All existing and proposed driveways, car parking and loading areas.
 - Existing and proposed landscape areas.
 - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

59.13-2

03/02/2022
VC199

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
 - Whether the proposal will have an adverse impact on adjoining and nearby land uses.
 - The need to protect amenity of existing residents.
 - The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
 - The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
 - The capability of the land to accommodate the proposed development.
 - Whether the development will support and enhance agricultural production.
 - The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
 - Any Regional Catchment Strategy and associated plan applying to the land.
 - The impact of the proposal on any wetlands or waterways.
 - Any integrated land management plan prepared for the site.
-

BAYSIDE PLANNING SCHEME

- 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

08/09/2025
VC282

[NO CONTENT]

59.1531/07/2018
VC148**LOCAL VICSMART APPLICATIONS**

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.

31/07/2018
VC148

SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS**1.0**

04/02/2021
C168bays

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

04/02/2021
C168bays

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

04/02/2021
C168bays

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

31/07/2018
VC148

**INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL
VICSMART APPLICATIONS**

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.

04/02/2021
C168bays

SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0

04/02/2021
C168bays

Information requirements

None specified.

2.0

04/02/2021
C168bays

Decision guidelines

None specified.

GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.

[NO CONTENT]

GENERAL EXEMPTIONS

62.0114/12/2023
VC253**USES NOT REQUIRING A PERMIT**

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
 - The use of land for Natural systems.
 - The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
 - The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
 - The use of land for wind measurement by an anemometer for three years or less.
 - The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
 - The use of land for a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
 - The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
 - The use of land for temporary portable land sales office located on the land for sale.
 - The use of land for a telecommunications facility.
 - The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
 - The use of land for a minor utility installation.
 - The use of land to display a sign.
 - The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
 - The use of land for environmental monitoring (including monitoring groundwater, noise or air quality) carried out by or on behalf of the Head, Transport for Victoria.
 - The use of land for an Electorate office.
 - The use of land for a moveable unit as defined in the *Housing Act 1983*, carried out by or on behalf of the Chief Executive Officer, Homes Victoria.
-

62.0215/03/2019
VC157**BUILDINGS AND WORKS**

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-114/12/2023
VC253**Buildings and works not requiring a permit**

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
 - Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
 - Buildings or works with an estimated cost of \$1,000,000 or less carried out by or on behalf of a municipality.
 - Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
 - An anemometer located on a site for three years or less.
 - Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
 - Gardening.
 - Buildings and works associated with a minor utility installation.
 - Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
 - Buildings or works which are a modification necessary to comply with a direction under the *Dangerous Goods Act 1985* or the *Occupational Health and Safety Act 2004* or a Development Licence, Operating Licence or notice under the *Environment Protection Act 2017*.
 - Buildings and works for a telecommunications facility exempt from a permit under clause 52.19-1.
 - Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the *Water Act 1989*.
 - Buildings and works associated with a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
 - Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
 - A temporary portable classroom associated with an education centre located on a site for three years or less.
 - A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
 - A children's cubbyhouse.
 - External lighting normal to a dwelling or small second dwelling.
 - The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the *Water Act 1989*.
-

BAYSIDE PLANNING SCHEME

- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shade cloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.
- An annexe attached to a movable caravan located on land used for a camping and caravan park.
- Works associated with geotechnical testing or service proving.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.
- Temporary buildings and works associated with environmental monitoring (including monitoring groundwater, noise or air quality) constructed or carried out by or on behalf of the Head, Transport for Victoria.

62.02-2

14/12/2023
VC253

Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
 - The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
 - Roadworks.
 - Buildings and works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria. If the buildings or works are on land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay and will redirect or obstruct the water flow path, they must be constructed and carried out to the satisfaction of the relevant floodplain management authority.
 - Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
 - Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
 - Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
 - Disability access and disability facilities associated with an education centre (not including a lift external to a building).
 - Art work that is carried out by or on behalf of a public land manager.
 - Oil pipelines.
 - Buildings and works associated with a moveable unit as defined in the *Housing Act 1983*, carried out by or on behalf of the Chief Executive Officer, Homes Victoria.
 - The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
 - Repairs and routine maintenance to an existing building or works.
-

BAYSIDE PLANNING SCHEME

- Domestic services normal to a dwelling or small second dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling or small second dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling or small second dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy system attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling or small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

62.02-3

30/08/2006
VC40

Vegetation removal

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.

62.03

27/06/2025
VC275

EVENTS AND OUTDOOR DINING ON PUBLIC LAND

62.03-1

27/06/2025
VC275

Events

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.

62.03-2

27/06/2025
VC275

Outdoor dining

In this clause:

Dining means the consumption of food or drink, including liquor. It includes the preparation or sale of food or drink, including liquor, for immediate consumption on, or off, the land.

Exemption from planning scheme requirements

Any requirement in this scheme relating to the use of land, the construction of a building, the construction or carrying out of works, or provision of car parking, including preparation of a car parking plan under Clause 52.06, does not apply to:

- The use of a road or other public land for outdoor dining if the use is associated with the use of adjoining land and is authorised under a local law or by the public land manager.
 - Street and park furniture including, seats, tables, marquees, covered and uncovered pergolas or similar shade sails, bollards, traffic control devices and platforms associated with outdoor dining in a road or other public land on adjoining land and is authorised under a local law or by the public land manager.
-

SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
 - A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
 - A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
 - A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
 - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
 - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
 - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
 - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
 - A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
 - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
 - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
 - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
-

62.05

17/02/2022
VC200

DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

Any requirement in this planning scheme (other than a requirement in a Heritage Overlay) relating to the demolition or removal of a building or works does not apply to the demolition or removal of a building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria.

62.0628/10/2022
VC224**DELIVERY OF ESSENTIAL GOODS PERMIT CONDITION EXEMPTION**

The purpose of this exemption is to enable additional flexibility for deliveries of essential goods if the time within which a delivery may be carried out is regulated by a permit condition.

In this exemption, **delivery** includes loading, dispatching and unloading.

This exemption applies to the delivery of food, drink, groceries, medicine, or cleaning, sanitising, health, hygiene, medical or personal protection equipment, supplies, or products, or the like.

Despite any condition of a permit that specifies a period of time within which a delivery may be carried out, a delivery may be carried out for up to 1 hour before the start of the specified period and 1 hour after the end of the specified period.

Example: If a condition of a permit only allows deliveries between the hours of 7am and 10pm, the delivery may be carried out under this exemption after 6am and up until 11pm.

EXISTING USES

63.01

28/03/2018
VC145

EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
 - A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
 - A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
 - Proof of continuous use for 15 years is established under Clause 63.11.
 - The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
-

63.02

31/07/2018
VC148

CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.

63.03

28/03/2018
VC145

EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.

63.04

28/03/2018
VC145

SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.

63.05

28/03/2018
VC145

SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
 - Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
 - The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
-

63.06

28/03/2018
VC145

EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
 - In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
-

63.07

28/03/2018
VC145

COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and *Lands Act 1987*.
 - The code of practice is approved or ratified by Parliament under an Act.
-

63.08

28/03/2018
VC145

ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.

63.09

28/03/2018
VC145

SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
 - Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
-

63.10

28/03/2018
VC145

DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.

63.11

12/02/2024
VC254

PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for a period of 15 years at any time before the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately before or during the 15 year period, unless any of the following apply:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
 - During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
 - The use ceased between the end of the 15 year period and the date of the application or proceeding.
-

63.12

28/03/2018
VC145

DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.

GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND

64.01

28/03/2018
VC145

LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.

64.02

28/03/2018
VC145

LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
 - the use must have a genuine, close and continuing functional relationship in its operation with the other use.
-

64.0328/03/2018
VC145**SUBDIVISION OF LAND IN MORE THAN ONE ZONE**

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
 - The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
 - To comply with the requirements of the Urban Floodway Zone.
 - To provide access to a road.
 - The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
-

DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.0109/12/2021
VC204**APPROVAL OF AN APPLICATION OR PLAN**

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

65.0215/03/2024
VC256**APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND**

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any owners corporation.
- The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the kinds of applications which must be referred under section 55 of the Act or for which notice must be given under section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of section 52(1) of the Act.

These provisions also specify when a plan must be referred under section 8(1)(a) of the *Subdivision Act 1988*.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.

Any requirement for referral under this or another clause does not apply if:

- In the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal; or
- The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority (other than the Head, Transport for Victoria) under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

Notice

Notice of an application of the kind listed in Clauses 66.05 and 66.06 must be given in accordance with section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.

66.0130/10/2025
VC291**SUBDIVISION REFERRALS**

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Kind of application	Referral authority	Type of referral authority
To subdivide land other than: - A boundary realignment. - The subdivision of an existing building already connected to services. - A two lot subdivision. - The subdivision of land into lots each containing an existing dwelling or car parking space.	The relevant water, drainage or sewerage authority The relevant electricity supply or distribution authority The relevant gas supply authority only where the subdivision is proposed to connect a lot to a reticulated gas supply system.	Determining referral authority Determining referral authority Determining referral authority
To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.	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 <i>Land Act 1958</i>	Determining referral authority
To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.	The relevant gas supply authority	Determining referral authority
To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority
To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.	The Executive Director specified in the <i>Heritage Act 2017</i>	Determining referral authority

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

66.01-104/08/2022
VC221**Mandatory conditions for subdivision permits**

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

BAYSIDE PLANNING SCHEME

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

66.01-2

15/09/2008
VC49

Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the *Subdivision Act 1988* referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the *Land Act 1958* has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.

66.0231/07/2018
VC148**USE AND DEVELOPMENT REFERRALS**

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

66.02-104/05/2022
VC210**Environment Protection Authority Licence**

Kind of application	Referral authority	Type of referral authority
For a use or development requiring any of the following:	Environment Protection Authority	Determining referral authority
- A Development Licence or Operating Licence in accordance with Part 4.4 of the <i>Environment Protection Act 2017</i>. - Amendment of a licence in accordance with Part 4.3 of the <i>Environment Protection Act 2017</i>.		

66.02-230/10/2025
VC291**Native vegetation**

Kind of application	Referral authority	Type of referral authority
- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the <i>Guidelines for the removal, destruction or lopping of native vegetation</i> (Department of Energy, Environment and Climate Action, 2025). - To remove, destroy or lop native vegetation if a property vegetation plan applies to the site. - To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>)	Recommending referral authority

66.02-325/05/2017
VC133**Cattle feedlot**

Kind of application	Referral authority	Type of referral authority
To use or develop land for a cattle feedlot.	Minister for Agriculture	Determining referral authority
	If the site is located within a special water supply catchment area under the <i>Catchment and Land Protection Act 1994</i> , the relevant water authority under the <i>Water Act 1989</i> and the Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>	Determining referral authority
	If the number of cattle is 5000 or more, the Environment Protection Authority	Determining referral authority

66.02-425/05/2017
VC133**Major electricity line or easement**

Kind of application	Referral authority	Type of referral authority
To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority

66.02-522/11/2024
VC263**Special water supply catchment area**

Kind of application	Referral authority	Type of referral authority
To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a declared Special Area classified as a Special Water Supply Catchment Area under the <i>Catchment and Land Protection Act 1994</i> and which provides water to a domestic supply.	The relevant water board or water supply authority	Determining referral authority
This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.		

66.02-625/05/2017
VC133**Timber production**

Kind of application	Referral authority	Type of referral authority
- To use or develop land for timber production by establishing a plantation. - To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>)	Determining referral authority

66.02-714/01/2025
VC237**Industry, utility installation or warehouse**

Kind of application	Referral authority	Type of referral authority
To use land for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met.	Environment Protection Authority	Determining referral authority
- To use land for an industry, utility installation or warehouse if any of the following apply: - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2022.	The Victorian WorkCover Authority	Determining referral authority

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Kind of application	Referral authority	Type of referral authority
- A notification is required under the Occupational Health and Safety Regulations 2017. - A licence is required under the Dangerous Goods (Explosives) Regulations 2011. - A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.		
■ To construct a building or construct or carry out works on land used for an industry, utility installation or warehouse if the area of the buildings and works will increase by more than 25 per cent and any of the following apply: - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2022. - A notification is required under the Occupational Health and Safety Regulations 2017. - A licence is required under the Dangerous Goods (Explosives) Regulations 2011. - A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.	The Victorian WorkCover Authority	Determining referral authority

66.02-8

22/03/2022
VC219

Extractive industry

Kind of application	Referral authority	Type of referral authority
■ To use or develop land for extractive industry.	Secretary to the Department administering the <i>Heritage Act 2017</i>. Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>	Determining referral authority
■ To use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>.	Secretary to the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>	Recommending referral authority
■ To use or develop land for extractive industry on Crown land or land abutting Crown land, other than a government road.	Secretary to the Department administering the <i>Land Act 1958</i> , <i>Crown Land (Reserves) Act 1978</i> , <i>National Parks Act 1975</i> and <i>Forests Act 1958</i>	Determining referral authority

BAYSIDE PLANNING SCHEME

Kind of application	Referral authority	Type of referral authority
■ To use or develop land for extractive industry: – In Special Areas declared under Section 27 of the <i>Catchment and Land Protection Act 1994</i>. – On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater. – On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.	Secretary to the Department administering the <i>Catchment and Land Protection Act 1994</i>	Determining referral authority
■ To use or develop land for extractive industry: – In areas with communities or taxa listed or critical habitat determined under the <i>Flora and Fauna Guarantee Act 1988</i>. – On land which has been identified in this scheme as containing sites of flora or fauna significance.	Secretary to the Department administering the <i>Flora and Fauna Guarantee Act 1988</i>	Determining referral authority
■ To use or develop land for extractive industry on land which has been identified in this scheme as flood prone.	Secretary to the Department administering Section 201 of the <i>Water Act 1989</i>	Determining referral authority
■ To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.	Environment Protection Authority	Determining referral authority
■ To use or develop land for extractive industry: – On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the <i>Road Management Act 2004</i> and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more. – On land which abuts a road declared as a freeway or an arterial road under the <i>Road Management Act 2004</i>. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Head, Transport for Victoria and the declared road is not a freeway.	Head, Transport for Victoria	Determining referral authority

66.02-925/05/2017
VC133**Geothermal energy extraction**

Kind of application	Referral authority	Type of referral authority
To use or develop land for geothermal energy extraction.	Secretary to the Department administering the <i>Geothermal Energy Resources Act 2005</i>	Determining referral authority

66.02-1025/05/2017
VC133**Greenhouse gas sequestration**

Kind of application	Referral authority	Type of referral authority
To use or develop land for greenhouse gas sequestration.	Secretary to the Department administering the <i>Greenhouse Gas Geological Sequestration Act 2008</i>	Determining referral authority

66.02-1109/12/2021
VC204**Land use and transport integration**

Kind of application	Referral authority	Type of referral authority
An application to subdivide land, to construct a building or to construct or carry out works for any of the following: ▪ A residential development comprising 60 or more dwellings or lots. ▪ A residential building comprising 60 or more lodging rooms. ▪ A residential village comprising 60 or more dwellings. ▪ A retirement village comprising 60 or more dwellings or lots. ▪ A new retail premises of 4000 or more square metres of leasable floor area. ▪ An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area. ▪ An office development of 10,000 or more square metres of leasable floor area. ▪ A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area. ▪ An education centre. ▪ A major sports and recreation facility. ▪ Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria. This does not apply to: ▪ Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village. ▪ A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.	Head, Transport for Victoria	Determining referral authority

66.02-1217/09/2019
VC161**Declared irrigation districts**

Kind of application	Referral authority	Type of referral authority
An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <i>Water Act 1989</i> .	Secretary to the Department administering the <i>Water Act 1989</i> .	Recommending referral authority

66.02-1317/02/2022
VC200**State transport projects**

Kind of application	Referral authority	Type of referral authority
An application to which clause 53.21 applies.	The municipal council for the municipal district within which the proposed use or development will be carried out.	Recommending referral authority.

66.02-1420/03/2023
VC229**Freeway service centre**

Kind of application	Referral authority	Type of referral authority
To use or develop land for a Freeway service centre.	Head, Transport for Victoria	Determining referral authority

REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Clause	Kind of application	Referral authority	Type of referral authority
Clause 36.03-5 (PCRZ)	An application for the use or development of an Emergency services facility.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 37.03-5 (UFZ)	An application under the zone within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the zone outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 37.07-5 (UGZ)	An application under the zone within Metropolitan Melbourne.	Victorian Planning Authority	Determining referral authority
	An application under the zone outside Metropolitan Melbourne.	Secretary to the Department administering the <i>Planning and Environment Act 1987</i>	Determining referral authority
Clause 44.02-8 (SMO)	An application under the overlay and any site capability report.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 44.03-6 (FO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.04-7 (LSIO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.05-6 (SBO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority

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Clause	Kind of application	Referral authority	Type of referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.06-6 (BMO)	An application to construct a building or carry out works associated with a dwelling. This does not apply to a non-habitable outbuilding ancillary to a dwelling that meets the requirements of Table 5 to Clause 53.02-5.	Relevant fire authority	Recommending referral authority
	An application to subdivide land.	Relevant fire authority	Recommending referral authority
	An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land.	Relevant fire authority	Determining referral authority
Clause 44.07-6 (SRO)	An application of the kind specified in a schedule to the overlay.	Referral authority specified in a schedule to the overlay	Determining referral authority
Clause 45.01-3 (PAO)	An application under the overlay.	Acquiring authority specified in the schedule to the overlay	Determining referral authority
Clause 45.07-6 (CLPO)	An application under the overlay.	Head, Transport for Victoria	Determining referral authority
Clause 52.05-3	An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the <i>Road Management Act 2004</i> .	Head, Transport for Victoria	Determining referral authority
Clause 52.29-4	An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the <i>Road Management Act 2004</i> , land owned by the Head, Transport for Victoria for the purpose of a road, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the acquisition is for the purpose of a road.	Head, Transport for Victoria	Determining referral authority
	Any other application under the Clause.	Owner of, or the acquiring authority for, the adjacent land in the Transport Zone 2 or the Public Acquisition Overlay	Determining referral authority

BAYSIDE PLANNING SCHEME

Clause	Kind of application	Referral authority	Type of referral authority
Clause 52.32	An application to amend a permit under section 72 or 97I of the <i>Planning and Environment Act 1987</i> for a wind energy facility if the application amends or removes conditions or requirements for operational wind turbine noise.	Environment Protection Authority Victoria	Recommending referral authority
Clause 53.24	An application to which Clause 53.24 applies.	Secretary to the Department of Transport and Planning	Determining referral authority

66.04

28/03/2018
VC145

REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.

04/02/2021
C168bays

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0

30/09/2022
GC197

Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Referral authority type
SCO15 in the Schedule to Clause 45.12 (SCO)	An application to construct a building or construct or carry out works	Suburban Rail Loop Authority	Determining referral authority

NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

Clause	Kind of application	Person or body to be notified
Clause 35.07	An application to use or develop land for accommodation within one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.	The owners and occupiers of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the <i>Environment Effects Act 1978</i>.
Clause 45.08-6	An application to use or subdivide land, or to construct a building or construct or carry out works.	The airport lessee company of Melbourne Airport in accordance with the <i>Commonwealth Airports Act 1996</i>
Clause 52.09-7	An application to use or subdivide land or construct a building for accommodation, education centre or hospital: ▪ Within an Extractive Industry Interest Area. ▪ On land which is within 500 metres of land on which a work plan has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>. An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i>. These requirements do not apply to: ▪ An application to extend a building or works. ▪ An application that is required to be referred to the Secretary of the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i> under section 55 of the Act.	The Secretary of the Department administering the <i>Mineral Resources (Sustainable Development) Act 1990</i>
Clause 52.09-7	An application to use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .	The owners and occupiers of land subject to a work authority that has been applied for or granted under the <i>Mineral Resources (Sustainable Development) Act 1990</i> .

BAYSIDE PLANNING SCHEME

Clause	Kind of application	Person or body to be notified
Clause 52.21	An application to construct, use or illuminate a private tennis court under any provision of this scheme.	The owners and occupiers of adjoining and opposite properties
Clause 53.09	An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009.	Environment Protection Authority
Clause 67.02-2	An application which except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply to an application: ▪ To which the exemption from notice and review in clause 52.31-2 applies. ▪ To construct or put up for display a sign. ▪ To remove, destroy or lop native vegetation under clause 52.17. ▪ If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.	The owners and occupiers of adjoining land The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust
Clause 67.02-2	An application to remove, destroy or lop native vegetation under clause 52.17 which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply if the application must be referred to the Secretary under section 55 of the Act.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <i>Conservation, Forests and Lands Act 1987</i>)

66.06

28/03/2018
VC145

NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.

04/02/2021
C168bays

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0

04/02/2021
C168bays

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
None specified	None specified	None specified

LAND OWNED OR PERMIT REQUIRED BY RESPONSIBLE AUTHORITIES

67.01

24/01/2020
VC160

EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

In accordance with section 6(2)(ka) of the Act, the following classes of use and development are exempted from section 96(1) and 96(2) of the Act:

Class 1

Use of land for:

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2

Development of land for:

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3

Any other use or development.

67.02

14/09/2021
VC211

NOTICE REQUIREMENTS AND EXEMPTION

67.02-1

14/09/2021
VC211

Application

This clause applies to an application which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act.

67.02-2

14/09/2021
VC211

Notice requirements

In accordance with section 52(1)(c) of the Act, notice of an application must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- To which the exemption from notice and review in clause 52.31-2 applies.
- To construct or put up for display a sign.
- To remove, destroy or lop native vegetation under clause 52.17.
- If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.

In accordance with section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under clause 52.17 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

This does not apply if the application must be referred to the Secretary under section 55 of the Act.

67.02-3

14/09/2021
VC211

Exemption from notice

An application to construct or put up for display a sign on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of section 52(1)(a) of the Act.

OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.

OPERATION OF THIS PLANNING SCHEME

71.01

31/07/2018
VC148

OPERATION OF THE MUNICIPAL PLANNING STRATEGY

71.01-1

24/01/2020
VC160

Municipal Planning Strategy

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

71.01-2

03/02/2022
VC199

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.

71.0231/07/2018
VC148**OPERATION OF THE PLANNING POLICY FRAMEWORK****71.02-1**31/07/2018
VC148**Purpose of the Planning Policy Framework**

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

71.02-224/01/2020
VC160**Operation**

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

71.02-303/02/2022
VC199**Integrated decision making**

Victorians have various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting

BAYSIDE PLANNING SCHEME

objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

71.02-4

31/07/2018
VC148

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.

71.03

31/07/2018
VC148

OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

71.03-1

31/07/2018
VC148

Section 1 uses

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

71.03-2

31/07/2018
VC148

Section 2 uses

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

71.03-3

31/07/2018
VC148

Section 3 uses

A use in Section 3 is prohibited.

71.04

31/07/2018
VC148

OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.

71.05

31/07/2018
VC148

OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.

71.0631/07/2018
VC148**71.06-1**16/10/2025
VC288**OPERATION OF VICSMART APPLICATIONS AND PROCESS****VicSmart applications**

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which clause 71.06 applies.
- Information 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.

71.06-216/10/2025
VC288**VicSmart process**

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
 - The decision requirements of section 64(1), (2) and (3) of the Act.
 - The review rights of section 82(1) of the Act.
-

Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider:
 - The decision guidelines 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.

ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME

72.0117/09/2019
VC161**RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME**

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

72.01-104/07/2025
VC258**Minister is responsible authority**

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Energy generation facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to:
 - Transmit or distribute electricity.
 - Store electricity if the installed capacity is 1 megawatt or greater.
- Industry to manufacture hydrogen gas with a minimum production capacity of 410 kilograms of hydrogen per day, and any land use or development in conjunction with this use.
- Primary school or secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, if any of the following apply:
 - There is no existing primary school or secondary school on the land.
 - The estimated cost of development is \$3 million or greater.
- Primary school or secondary school for which an application was made to the Minister for Planning prior to the approval date of Amendment VC180.
- A use or development, other than the subdivision of land, carried out by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.
- Use and development to which clause 52.20 applies.
- Development of 10 or more dwellings to which clause 53.20 applies.
- Construction or extension of an apartment development to which clause 53.20 applies.
- Construction or extension of a dwelling in or forming part of an apartment development to which clause 53.20 applies.
- Use or development to which clause 53.25 applies.

with the exception of the following:

- in relation to applications lodged, or permits issued, for the use and development of land for an energy generation facility (other than a renewable energy facility) or a utility installation (other than a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater), under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC192, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

BAYSIDE PLANNING SCHEME

- 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;
-

BAYSIDE PLANNING SCHEME

- matters under Division 2 of Part 9 of the Act where required under a permit in relation to the provision of the affordable housing contribution; and
 - endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
-

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0

31/07/2018
VC148

Responsible authority for administering and enforcing this planning scheme:

The Bayside City Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0

30/09/2022
GC197

Responsible authority for administering and enforcing a provision of this planning scheme:

The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for land at Allot 6 Sec. 24 at Elsternwisk, Parish of Prahran and Lot 1 on TP298184 on New Street, Elsternwick and shown on the map below:

Map 1 to the Schedule to Clause 72.01



The Minister for Planning is the responsible authority for administering and enforcing:

- The planning scheme for the use and development of land associated with Suburban Rail Loop East included within the Specific Controls Overlay, Schedule 14.
- Any other provision of the planning scheme as it applies to the use or development of land for Suburban Rail Loop East.

3.0

31/07/2018
VC148

Person or responsible authority for issuing planning certificates:

Minister for Planning.

4.0

22/09/2023
VC243

Responsible authority for VicSmart and other specified applications:

The Chief Executive Officer of the Bayside City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Bayside City Council is the responsible authority for considering and determining applications to which Clause 53.24 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Bayside City Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

72.02

31/07/2018
VC148

WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0

31/07/2018
VC148

Area covered by this planning scheme:

The municipal district of the City of Bayside. The planning scheme also affects the area of Port Phillip Bay between the municipal boundary of the City of Bayside and an imaginary parallel line 600 metres seaward from the municipal boundary.

72.0331/07/2018
VC148**WHAT DOES THIS PLANNING SCHEME CONSIST OF?**

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
 - Clause 02 (Municipal Planning Strategy).
 - Clause 21 (Municipal Strategic Statement).
 - Clause 22 (Local Planning Policies).
- All clauses in the Planning Policy Framework that include the letter 'L' in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered '11.01-1L' would be an example of a local provision in the Planning Policy Framework. 'C1Z' is an example of a code on a map that may be specified in the schedule to this clause. It stands for 'Commercial 1 Zone'.

31/01/2019
C153

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

31/03/2026
GC270

Maps comprising part of this planning scheme:

- 1, 1BFO, 1DDO, 1EAO, 1HO, 1NCO, 1VPO, 1SBO, 1SCO
 - 2, 2BFO, 2DDO, 2EAO, 2EMO, 2HO, 2VPO, 2SBO, 2SCO
 - 3, 3BFO, 3DDO, 3DPO, 3EAO, 3HO, 3NCO, 3VPO, 3SBO, 3SCO
 - 4, 4DDO, 4EMO, 4HO, 4SLO, 4VPO, 4SBO, 4EAO
 - 5, 5DDO, 5EMO, 5ESO, 5HO, 5VPO, 5SBO, 5EAO
-

72.0418/12/2025
VC277**INCORPORATED DOCUMENTS**

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the *Planning and Environment Act 1987*.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

Name of document	Introduced by:
<i>A 'Good Neighbour' Code of Practice for a Circus or Carnival</i> (Department of Infrastructure, October 1997)	NPS1
<i>Apiary Code of Practice</i> (Department of Planning and Community Development, May 2011)	VC81
<i>Australian Standard AS/NZS 2890.1:2004, Parking Facilities - Off-street Car Parking</i> (Standards Australia, 2004)	VC26
<i>Australian Standard AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking</i> (Standards Australia, 2015)	VC237
<i>Building in Bushfire-Prone Areas</i> (Publication SAA HB36-1993, CSIRO & Standards Australia, May 1993)	NPS1
<i>Car Parking Requirement Maps</i> (Department of Transport and Planning, December 2025)	VC277
<i>Code of Practice for Bushfire Management on Public Land</i> (Department of Sustainability and Environment, June 2012)	VC101
<i>Code of Practice for Timber Production 2014 (as amended 2022)</i> (Department of Environment, Land, Water and Planning, 2022)	VC229
<i>Design Vehicles and Turning Path Templates</i> (Publication AP-34/95, Austroads, 1995)	VC12
<i>Guide to Residential Streets and Paths</i> (Publication C&CCA T51-2004, Cement and Concrete Association of Australia, 2004)	VC26
<i>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths</i> (Austroads, 2021)	VC77
<i>Guidelines for the Removal, Destruction or Lopping of Native Vegetation</i> (Department of Energy, Environment and Climate Action, 2025)	VC291
<i>Industrial and Commercial Land Classifications</i> (Department of Transport and Planning, July 2025)	VC283
<i>North Growth Corridor Plan</i> (Victorian Planning Authority, August 2012)	VC283
<i>Local Government Planning Guide for Dry Land Salinity</i> (Department Conservation and Natural Resources, October 1995)	NPS1
<i>Pavement Design - A Guide to the Structural Design of Road Pavements</i> (Austroads, 1992)	VC12
<i>Planning Requirements for Racing Dog Keeping and Training</i> (Department of Environment, Land, Water and Planning, August 2017)	VC139
<i>Principal Public Transport Network 2017</i> (Victorian Government, 2017)	VC132
<i>Principal Public Transport Network Area Maps</i> (Victorian Government, August 2018)	VC151

BAYSIDE PLANNING SCHEME

Name of document	Introduced by:
<i>Private Tennis Court Development Code of Practice</i> (Revision 1, Department of Infrastructure, March 1999)	VC5
<i>South East Growth Corridor Plan</i> (Victorian Planning Authority, August 2012)	VC283
<i>Sunbury Growth Corridor Plan</i> (Victorian Planning Authority, June 2012)	VC283
<i>Victorian Code for Broiler Farms 2009 - Plus 2018 amendments</i> (Department of Primary Industries, 1999)	VC60
<i>Victorian Code for Cattle Feedlots</i> (Department of Agriculture, Energy and Minerals, August 1995)	NPS1
<i>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines</i> (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150
<i>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines</i> (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150
<i>West Growth Corridor Plan</i> (Victorian Planning Authority, August 2012)	VC283

SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS**1.0****Incorporated documents**

Name of document	Introduced by:
Abrahams House, 21 Dudley Street, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Ahern House, 171 Tramway Parade, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Armstrong House, 22 Harold Street, Sandringham Statement of Significance (GJM Heritage, September 2025)	C192bays
Atkins House, 53 Scott Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Baird House, 15 Hume Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Barry House, 7 Roosevelt Court, Brighton East Statement of Significance (GJM Heritage, September 2025)	C192bays
<i>Bayside Drainage Development Contributions Plan</i> (Bayside City Council, December 2023)	VC249
Bellaire Court Estate Group Listing, 2, 4, 8, 10, 15, 18 & 19 Bellaire Court, Beaumaris, Sandringham Statement of Significance (GJM Heritage, September 2025)	C192bays
Biderman House, 45 Hanby Street Street, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Bridgford House, 242 Beach Road, Black Rock Statement of Significance (GJM Heritage, September 2025)	C192bays
Cheltenham Level Crossing Removal Project Incorporated Document (July 2017)	GC70
Clarke House, 18 Hutchinson Avenue Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Cohen House, 14 Fairway Avenue, Cheltenham Statement of Significance (GJM Heritage, September 2025)	C192bays
Crichton House, 2 Clonmore Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Dearie House, 14 Cromer Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Derham House, 9 Gray Court, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Fermanis House, 1 Reid Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Flats, 1-6/16 Clive Street, Brighton East Statement of Significance (GJM Heritage, September 2025)	C192bays
Fletcher House, 3 Roslyn Street, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Fox House, 6 Norwood Avenue, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Gooch House, 19 Haywood Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Gye House, 19 Florida Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays

BAYSIDE PLANNING SCHEME

Name of document	Introduced by:
Halliday House, 23 Clonmore Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Hannan House, 11-13 Lang Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Hellier House, 19 Gramatan Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Hirsh House, 1 Sara Avenue, Brighton East Statement of Significance (GJM Heritage, September 2025)	C192bays
House, 166 Tramway Parade, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
House, 40 Anita Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
House, 50 Gareth Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Iggulden House, 50 Wells Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Lamb House, 3 Seaview Crescent, Black Rock Statement of Significance (GJM Heritage, September 2025)	C192bays
Lipson House, 3 Exon Street, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Manning House, 25 Oak Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Mollar House, 28 Towers Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Mollard House, 48 Hanby Street Street, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Muckle Flugga, 2 High Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Nissen House, 56 Cloris Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Opat House, 25 Chatsworth Avenue, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Patrick House, 19 Olympic Avenue, Cheltenham Statement of Significance (GJM Heritage, September 2025)	C192bays
Perkins House, 28 Gladstone Street, Sandringham Statement of Significance (GJM Heritage, September 2025)	C192bays
Powe House, 12 Bolton Street, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Pruzanski & Jenkie Houses, 32 Clonaig Street & 1 Meyer Court, Brighton East Statement of Significance (GJM Heritage, September 2025)	C192bays
Rottem House, 2 Davey Avenue, Brighton East Statement of Significance (GJM Heritage, September 2025)	C192bays
Roubicek House, 51 Lynch Crescent, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
Saade House, 344 Beach Road, Black Rock Statement of Significance (GJM Heritage, September 2025)	C192bays
Sayle House, 40 Sussex Street, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays

BAYSIDE PLANNING SCHEME

Name of document	Introduced by:
Site Specific Control – 120-130 Bay Street, Brighton (City of Bayside, July 1991)	NPS1
Smith House, 16 Surf Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Spencer House, 24 Balcombe Park, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Statement of Significance, 'Esme Johnston House', 38 Grosvenor Street, Brighton (October 2020)	C174bays
Temporary Advertising Signs on Recreation Reserves (June 2004, revised July 2018)	C161bayspt1
Statement of Significance: 7 Coreen Avenue, Beaumaris (GJM Heritage, December 2025)	C196bays
Statement of Significance: 17 Coronet Grove, Beaumaris (GJM Heritage, December 2025)	C196bays
Statement of Significance: Philpot House -7 Grandview Avenue, Beaumaris (GJM Heritage, December 2025)	C196bays
Statement of Significance: Grutzner House - 55 Haydens Road, Beaumaris (GJM Heritage, December 2025)	C196bays
Statement of Significance: Bricknell House -29 Scott Street, Beaumaris (GJM Heritage, December 2025)	C196bays
Statement of Significance: Lyon House - 10 Valmont Avenue, Beaumaris (GJM Heritage, December 2025)	C196bays
Statement of Significance: Rendell House - 33 Clonmore Street, Beaumaris (GJM Heritage, December 2025)	C196bays
Stegley House, 86 Dalgetty Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Suburban Rail Loop East Incorporated Document, August 2022	GC197
<i>Suburban Rail Loop East Infrastructure Protection</i> (Department of Transport and Planning, November 2024)	GC244
<i>Tara (former Greenock) 31-33 Eliza Street, Black Rock Statement of Significance</i> (David Helms Heritage Planning, July 2022)	C194bays
Thorburn House, 21 Vardon Avenue, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Tutt House, 142 Reserve Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Weate House, 11 Summerhill Road, Beaumaris Statement of Significance (GJM Heritage, September 2025)	C192bays
Widawski House, 56A Dendy Street, Brighton Statement of Significance (GJM Heritage, September 2025)	C192bays
<i>14-16 Fernhill Road, Sandringham</i> (Department of Transport and Planning, February 2024)	C201bays

72.05

31/07/2018
VC148

WHEN DID THIS PLANNING SCHEME BEGIN?

This planning scheme began on the date specified in the schedule to this clause.

BAYSIDE PLANNING SCHEME

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0

31/07/2018
VC148

Date this planning scheme began:

24 February 2000

72.06

31/07/2018
VC148

EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.

72.07

31/07/2018
VC148

DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.

72.0802/09/2025
VC283**BACKGROUND DOCUMENTS**

The documents listed in the table and the schedule to this clause are background documents.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

Table to Clause 72.08

Name of background document	Amendment number - clause reference
<i>Central Highlands Regional Growth Plan</i> (Victorian Government, 2014)	VC106 Clauses 10 to 19
<i>G21 Regional Growth Plan</i> (Geelong Region Alliance, 2013)	VC106 Clauses 10 to 19
<i>Gippsland Regional Growth Plan</i> (Victorian Government, 2014)	VC106 Clauses 10 to 19
<i>Great South Coast Regional Growth Plan</i> (Victorian Government, 2014)	VC106 Clauses 10 to 19
<i>Hume Regional Growth Plan</i> (Victorian Government, 2014)	VC106 Clauses 10 to 19
<i>Loddon Mallee North Regional Growth Plan</i> (Victorian Government, 2014)	VC106 Clauses 10 to 19
<i>Loddon Mallee South Regional Growth Plan</i> (Victorian Government, 2014)	VC106 Clauses 10 to 19
<i>Plan for Victoria</i> (Department of Transport and Planning, February 2025)	VC283 Clauses 10 to 19
<i>Wimmera Southern Mallee Regional Growth Plan</i> (Victorian Government, 2014)	VC106 Clauses 10 to 19

SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS**1.0****Background documents**

Name of background document	Amendment number - clause reference
<i>Bay Road Heathland Sanctuary Management Plan</i> (Bayside City Council, 2004)	C180bays - 11.03-6L
<i>Bayside Affordable Housing Strategy</i> (Bayside City Council, 2021)	C184bays - 16.01-2L
<i>Bayside Bicycle Strategy</i> (Bayside City Council, 2013)	C180bays - 02.03, 18.02-1L
<i>Bayside Coastal Management Plan</i> (Urban Initiatives:Better Places Consultants:Saturn Corporate Resources:Atkins Maritime Engineering:Saliency 3: Bayside City Council, 2014)	C180bays - 02.03
<i>Bayside Gaming Machines Policy</i> (Bayside City Council, 2010)	C180bays - 52.28s
<i>Bayside Gaming Policy: Review and Implementation Report</i> (Planisphere, Symplan Consulting, 2010)	C180bays - 52.28s
<i>Bayside Housing Strategy Review</i> (Bayside City Council, 2019)	C180bays - 02.03, 16.01-1L
<i>Bayside Housing Strategy</i> (Bayside City Council, September 2012)	C180bays - 02.03, 16.01-1L, 43.02s03
<i>Bayside Industrial Area Strategy</i> (Hansen Partnership, National Economics, CB Richard Ellis, Context Connybeare Morrison, 2004)	C180bays - 11.03-6L
<i>Bayside Integrated Transport Strategy</i> (Bayside City Council, 2013)	C180bays - 02.03, 18.01-1L
<i>Bayside Neighbourhood Character Review</i> (Planisphere, 2004)	C180bays - 15.01-5L
<i>Bayside Neighbourhood Character Review Precinct Brochures</i> (Planisphere, 2006)	C180bays - 15.01-5L
<i>Bayside Neighbourhood Character Review – Stage 2 Final Report</i> (Planisphere, 2008 – Revised 2011)	C180bays - 42.03s01
<i>Bayside Open Space Strategy</i> (Bayside City Council, 2012)	C180bays - 19.02-6L-01, 19.02-6L-02
<i>Bayside Open Space Strategy: Suburb Analysis and Action Plan</i> (Bayside City Council, 2012)	C180bays - 19.02-6L-02
<i>Bayside Retail Commercial and Employment Strategy</i> (SGS Economics and Planning, 2016)	C180bays - 02.03, 11.03-6L
<i>Bayside Retail and Employment Strategy Background Issues and Opportunities Paper</i> (SGS Economics and Planning, 2015)	C180bays - 11.03-6L
<i>Bayside Tourism Strategy</i> (Bayside City Council, 2013)	C180bays - 02.03
<i>Bayside Urban Forest Strategy 2022-2040</i> (Bayside City Council, 2022)	C186bays - 02.03, 12.01-1L
<i>Bayside Walking Strategy</i> (Bayside City Council, 2015)	C180bays - 02.03, 18.02-1L

BAYSIDE PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Beach Road Corridor Strategy</i> (Bayside City Council, Kingston City Council, VicRoads, 2011)	C180bays - 02.03
<i>Beaumaris Concourse Activity Centre Structure Plan</i> (IUM 2005)	C180bays - 11.03-1L-05, 43.02s07
<i>Black Rock Village Neighbourhood Activity Centre Strategic Framework Plan</i> (CPG Australia, 2009 - Addendum, Bayside City Council, 2012)	C180bays - 11.03-1L-08
<i>Church Street Major Activity Centre Parking Study</i> (GTA Consultants, 2018)	C180bays - 02.03, 11.03-1L-03
<i>City of Bayside Heritage Review</i> (Allom Lovell & Associates, 1999)	C180bays - 15.03-1L, 43.01s
<i>City of Bayside Heritage Review (Revision 1)</i> (Allom Lovell & Associates, 2003)	C180bays - 15.03-1L, 43.01s
<i>City of Bayside Heritage Review: Brighton Town Hall Precinct</i> (Built Heritage, June 2013)	C180bays - 15.03-1L, 43.01s
<i>City of Bayside Highett Neighbourhood Character Review</i> (Planisphere, 2011)	C180bays - 43.05s10
<i>City of Bayside Inter-war and Post-War Heritage Study</i> (Heritage Alliance, 2008)	C180bays - 15.03-1L, 43.01s
<i>City of Bayside Post-War Modern Residential Heritage Study</i> (GJM Heritage, May 2024)	C192bays - 15.03-1L, 43.01s
<i>City of Bayside Review of Heritage Precincts</i> (Bryce Raworth, 2008)	C180bays - 15.03-1L, 43.01s
<i>City of Bayside Review of Heritage Precincts in Activity Centres</i> (Bryce Raworth, Revised 2012)	C180bays - 15.03-1L, 43.01s
<i>City of Bayside Two Individual Citations</i> (Bryce Raworth, Revised 2012)	C180bays - 15.03-1L, 43.01s
<i>City of Brighton Urban Character and Conservation Study</i> (Perott Lyon Mathieson, Andrew Ward, Michael Sandford, 1986)	C180bays - 15.03-1L, 43.01s
<i>City of Sandringham Heritage and Conservation Study</i> (Andrew C Ward Associates, 1989)	C180bays - 15.03-1L, 43.01s
<i>Digital River – Digital Building Telecommunications Access Guidelines</i> (City of Melbourne, 2002)	C180bays - 11.03-6L
<i>Flora and Fauna Assessment of CSIRO Land, Highett, Victoria</i> (Biosis Research, 2004)	C180bays - 11.03-1L -06
<i>Graham Road, Highett: Traffic Management Plan</i> (Andrew O'Brien and Associates, 2004)	C180bays - 11.03-1L-06
<i>Hampton East (Moorabbin) Structure Plan</i> (Bayside City Council, 2016)	C180bays - 37.08s
<i>Highett Structure Plan</i> (Bayside City Council, 2018)	C160bays - 11.03-1L-06, 43.02s04

BAYSIDE PLANNING SCHEME

Name of background document	Amendment number - clause reference
<i>Heritage Review 'Greenfield' ('Tullavin'), 453 New Street, Brighton</i> (David Helms Heritage Planning, 2014)	C180bays - 15.03-1L, 43.01s
<i>Heritage Review Lindsay House, 9 Boxhall Street Brighton</i> (David Helms Heritage Planning, 2014)	C180bays - 15.03-1L, 43.01s
<i>Housing Choice Research Project Pilot Study</i> (Juliet Lithgow, 1996)	C180bays - 02.03
<i>Martin Street Structure Plan</i> (Bayside City Council, 2016)	C180bays - 11.03-1L-07, 43.02s18
<i>Mid-Century Modern Voluntary Nomination Heritage Study - Peer Reviewed</i> (GJM Heritage, June 2025)	C196bays - 43.01s
<i>Moorabbin Activity Centre Plan</i> (Victorian Planning Authority, 2025)	GC252
<i>North Brighton to Sandringham Train and Tram Zone Activity Centres Plan</i> (Department of Transport and Planning, 2026)	GC270
<i>Tara (former Greenock) 31-33 Eliza Street, Black Rock Heritage Assessment</i> (David Helms Heritage Planning, 2022)	C194bays - 15.03-1L, 43.01s
<i>Water Sensitive Urban Design Compliance Guidelines for New Development</i> (Bayside City Council, 2009)	C180bays - 19.03-3L-02
<i>Water Sensitive Urban Design - Engineering Procedures: Stormwater</i> (Melbourne Water, 2005)	C180bays - 19.03-3L-02

MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or
 - In the *Planning and Environment Act 1987* or the *Interpretation of Legislation Act 1984*, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
-

GENERAL TERMS

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

General term	Definition
Act	The <i>Planning and Environment Act 1987</i> .
Agricultural production	Any form of primary production of renewable commodities. It does not include extractive industry, Mineral extraction, or timber production from native forest.
Anemometer	A wind measuring device.
Apartment	A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.
Approval date	The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.
Basement	A storey below ground level, or that projects no more than 1.2 metres above ground level.
Building height	The vertical distance from natural ground level to the roof or parapet at any point.
Building Regulations	The <i>Building Regulations 1994</i> .
Bushfire	An unplanned fire in vegetation. This includes fire in grasslands.
Bushfire prone area	An area that is designated bushfire prone as determined under section 192A of the <i>Building Act 1993</i> .
Bushfire prone area map	The map prepared under section 192A of the <i>Building Act 1993</i> describing all areas that are designated from time to time as bushfire prone areas by any determination, under that section.
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.

BAYSIDE PLANNING SCHEME

General term	Definition
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.
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 <i>Gambling Regulation Act 2003</i> .
Garden area	Any area on a lot with a minimum dimension of 1 metre that does not include: a) a dwelling, small second dwelling or residential building, except for: ▪ an eave, fascia or gutter that does not exceed a total width of 600mm; ▪ a pergola; ▪ unroofed terraces, patios, decks, steps or landings less than 800mm in height; ▪ a basement that does not project above ground level; ▪ any outbuilding that does not exceed a gross floor area of 10 square metres; and ▪ domestic services normal to a dwelling, small second dwelling or residential building; b) a driveway; or c) an area set aside for car parking.
Geelong G21 region	The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.
Gippsland region	The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.
Great South Coast region	The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes
Gross floor area	The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.
Ground level	The natural level of a site at any point.
Habitable room	Any room of a dwelling, small second dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.

BAYSIDE PLANNING SCHEME

General term	Definition
High quality productive agricultural land	Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and: a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.
Hume region	The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.
Land capability assessment	The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.
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: a) oil shale and coal; and b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. It does not include water, stone, or petroleum.

BAYSIDE PLANNING SCHEME

General term	Definition
Minister for Planning	A Minister for the time being administering the Act.
Movable building	A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.
Native vegetation	Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.
Net floor area	The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.
Plot ratio	The gross floor area of all buildings on a site, divided by the area of the site.
Potentially contaminated land	Land: a) used or known to have been used for industry or mining; b) used or known to have been used for the storage of chemicals, gas, waste or liquid fuel (other than minor above-ground storage that is ancillary to another use of the land); or c) where a known past or present activity or event (occurring on or off the land) may have caused 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 <i>Conservation, Forests and Lands Act 1987</i> .
Public land manager	The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria, the Great Ocean Road Coast and Parks Authority or a municipal council, it means the Minister administering that Act and does not include the committee of management.
Radio mast	A mast, for radio transmission or reception in a dwelling or small second dwelling, that is: a) with antenna, more than 14 metres above the ground; b) if attached to a building, with antenna, more than 5 metres above the roof line; c) including antenna, wider than 6 metres; or d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.
Retail	The sale of goods or materials, in any quantity or manner, other than by wholesale.

BAYSIDE PLANNING SCHEME

General term	Definition
Secluded private open space	That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.
Setback	The minimum distance from any allotment boundary to a building.
Site coverage	The proportion of a site covered by buildings.
Stone	Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.
Storey	That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.
Stormwater	The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.
Street leg length	The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.
Street reserve	Land set aside for a street pavement and verge.
Sustainable agriculture	The use of farming practices and systems which maintain or enhance: a) the economic viability of agricultural production; b) the natural resource base; and c) other ecosystems which are influenced by agricultural activities.
Telecommunications line	A wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy.
Telecommunications network	A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.
Telecommunications tower	A free-standing tower, pole or mast used as part of a telecommunications network that is not mounted on, or affixed to, any other structure.
Tenement	Land comprised in: a) a lot which does not adjoin another lot in the same ownership; or b) lots in the same ownership and which adjoin each other. Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.
Transport manager	(a) a Minister; or (b) government department; or (c) Administrative Office under the <i>Public Administration Act 2004</i> ; or (d) public authority; or (e) any person -

BAYSIDE PLANNING SCHEME

General term	Definition
	that has responsibility under an Act for the care or management of land that forms part of Victoria's transport system.
Transport system	All of the components that make up the system for the movement and transport of people and goods including: ▪ Movement networks including cycling paths, footpaths, roads, railways, shipping lanes, tramways and water transport routes. ▪ Transport interchanges for accessing, disembarking, unloading and interchange of people and goods, and for the storage of freight and vehicles. This includes transport terminals and public transport stops. ▪ Infrastructure required to operate movement networks and transport interchanges. ▪ Land reserved for the future development of movement networks and transport interchanges.
Utility service provider	A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services.
Verge	The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting.
Wall height	The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.
Wholesale	The sale of goods or materials, to be sold by others.
Wimmera Southern Mallee region	The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.

SIGN TERMS

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

Sign term	Definition
Above-verandah sign	A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.
Display area	The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.
Animated sign	A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.
Bed and breakfast sign	A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.
Bunting sign	An advertisement that consists of bunting, streamers, flags, windvanes, or the like.
Business identification sign	A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.
Direction sign	A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.
Electronic sign	A sign that can be updated electronically. It includes screens broadcasting still or moving images.
Floodlit sign	A sign illuminated by external lighting provided for that purpose.
High-wall sign	A sign on the wall of a building so that part of it is more than 10 metres above the ground.
Home based business sign	A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.
Internally illuminated sign	A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.
Major promotion sign	A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Panel sign	A sign with an advertisement area exceeding 10 square metres.
Pole sign	A sign: a) on a pole or pylon that is not part of a building or another structure; b) that is no more than 7 metres above the ground;

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Sign term	Definition
	c) with an advertisement area not exceeding 6 square metres; and d) that has a clearance under it of at least 2.7 metres.
Promotion sign	A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Reflective sign	A sign finished with material specifically made to reflect external light.
Sign	Includes a structure specifically built to support or illuminate a sign.
Sky sign	A sign: a) on or above the roof of a building, but not a verandah; b) fixed to the wall of a building and which projects above the wall; or c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.

73.0321/08/2025
VC279**LAND USE TERMS**

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

Land use term	Definition	Includes	Included in
Abattoir	Land used to slaughter animals, including birds. It may include the processing of animal products.		Rural industry
Accommodation	Land used to accommodate persons.	Camping and caravan park	

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
		Corrective institution Dwelling Group accommodation Host farm Residential aged care facility Residential building Residential village Retirement village Small second dwelling	
Adult sex product shop	Land used to sell or hire sexually explicit material, including: a) publications classified as restricted under the <i>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</i> ; and b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.		Shop
Agriculture	Land used to: a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables; b) keep, breed, board, or train animals, including livestock, and birds; or c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.	Animal husbandry Aquaculture Crop raising	
Airport			Transport terminal
Amusement park			Outdoor recreation facility
Amusement parlour	A building that contains: a) three or more coin, card, or token operated amusement machines;		Place of assembly

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or c) two or more coin, card, or token operated billiard, snooker, or pool tables. It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Bar or Hotel.		
Animal husbandry	Land used to keep, breed, board, or train animals, including birds.	Animal production Animal training Apiculture Domestic animal husbandry Horse husbandry Racing dog husbandry	Agriculture
Animal production	Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.	Grazing animal production Intensive animal production Pig farm Poultry farm Poultry hatchery	Animal husbandry
Animal training	Land used to train animals, other than domestic animals, horses, or racing dogs.		Animal husbandry
Apiculture	Land used to keep honeybee hives and to extract honey or other bee hive products.		Animal husbandry
Aquaculture	Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.		Agriculture
Art and craft centre	Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.		

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Art gallery	Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.		Exhibition centre
Automated collection point	A building with a gross floor area of no more than 100 square metres, used as an automated collection point as defined in the <i>Circular Economy (Waste Reduction and Recycling) Act 2021</i> .		Transfer station
Bank			Office
Bar	Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		Food and drink premises
Beauty salon			Shop
Bed and breakfast	A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.		Dwelling
Betting agency	Land used for gambling by wagering, and where there is the ability to receive a monetary reward.		Gambling premises
Boat and caravan storage	Land used to store boats, caravans, or vehicle-towed boat trailers.		Store
Boat launching facility	Land used to launch boats into the water and to retrieve boats from the water.	Boat ramp slipway	Recreational boat facility
Boat ramp			Boat launching facility
Bottle shop	Land used to sell packaged liquor for consumption off the premises.		Shop
Broiler farm	Land used to keep broiler chickens for the production of meat.		Poultry farm
Bus terminal			Transport terminal
Camping and caravan park	Land used to allow accommodation in caravans, cabins, tents, or the like.		Accommodation

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Caretaker's house	A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.		Dwelling
Carnival	Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.		Place of assembly
Car park	Land used to park motor vehicles. It may include charging of electric vehicles.		
Car sales			Motor vehicle, boat, or caravan sales
Car wash			Service industry
Cattle feedlot	Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.		Intensive animal production
Cemetery	Land used to dispose of human remains by burial. It may include funeral chapels or the like.		
Child care centre	Land used to care for five or more children who are not permanently resident on the land.	Kindergarten	Education centre
Cinema	Land used to provide screen based entertainment or information to the public.		Place of assembly
Cinema based entertainment facility	Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.		Place of assembly
Circus	Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.		Place of assembly
Commercial display area	Land used only to display goods.		Warehouse
Community care accommodation	Land used to provide accommodation and care services. It includes permanent, temporary		Residential building

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	and emergency accommodation. It may include supervisory staff and support services for residents and visitors.		
Conference centre			Function centre
Container deposit scheme centre	Land used to collect, consolidate, temporarily store, sort or recover materials under Victoria's Container Deposit Scheme by a network or collection point operator in accordance with the <i>Circular Economy (Waste Reduction and Recycling) Act 2021</i> . The centre may incorporate a reverse vending machine, automated collection point, drop off point and over the counter refunds.		Transfer station
Convenience restaurant	Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.		Food and drink premises
Convenience shop	A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.		Shop
Corrective institution	Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.		Accommodation
Crematorium	Land used to cremate human remains. It may include funeral chapels or the like.		
Crop raising	Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.	Horticulture Rice growing Timber production	Agriculture
Dance studio			Indoor recreation facility
Data centre			Utility installation
Department store			Shop

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Display home centre	One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.		
Dog breeding			Domestic animal husbandry
Domestic animal boarding	Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.		Domestic animal husbandry
Domestic animal husbandry	Land used to keep, breed, board or train domestic animals.	Dog breeding Domestic animal boarding	Animal husbandry
Drive-in theatre			Place of assembly
Dry cleaner	Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.		Service industry
Dry cleaning agent	Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.		Shop
Dwelling	A building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.	Bed and breakfast Caretaker's house	Accommodation
Education centre	Land used for education.	Child care centre Employment training centre Primary school Secondary school Tertiary institution	

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Earth and energy resources industry	Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.	Extractive industry Greenhouse gas sequestration Greenhouse gas sequestration exploration Geothermal energy exploration Geothermal energy extraction Mining Mineral exploration Petroleum exploration Petroleum production Stone exploration	
Electoral office	An office used for electioneering by a candidate in a local, State, or Federal Government election.		Office
Electorate office	An office used by a State or Federal Member of Parliament to conduct their representative duties.		Office
Emergency services facility	Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.		
Employment training centre			Education centre
Energy generation facility	Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.	Renewable energy facility Waste-to-energy facility	
Equestrian supplies			Restricted retail premises
Exhibition centre	Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.	Art gallery Museum	Place of assembly

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Extractive industry	Land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works. It includes: - the rehabilitation of the land; and - the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the land from which the stone is extracted or removed.		Earth and energy resources industry
Food and drink premises	Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.	Bar Convenience restaurant Hotel Restaurant Take away food premises	Retail premises
Freeway service centre	Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.		
Freezing and cool storage			Store
Fuel depot	Land used to store, sell, and distribute fuel.	Liquid fuel depot Solid fuel depot	Warehouse
Function centre	Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.	Conference centre Reception centre	Place of assembly
Funeral parlour	Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.		
Gambling premises	Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.	Betting agency Gaming premises	Retail premises

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Gaming premises	Land used for gambling by gaming, and where there is the ability to receive a monetary reward.		Gambling premises
Garden supplies	Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.		Landscape gardening supplies
Geothermal energy exploration	Land used for geothermal energy exploration as defined in the <i>Geothermal Energy Resources Act 2005</i> .		Earth and energy resources industry
Geothermal energy extraction	Land used for geothermal energy extraction as defined in the <i>Geothermal Energy Resources Act 2005</i> .		Earth and energy resources industry
Golf course			Outdoor recreation facility
Golf driving range			Outdoor recreation facility
Grazing animal production	Land used for animal production where the animals' food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes: ▪ emergency, seasonal and supplementary feeding; ▪ the incidental penning, feeding and housing of animals for weaning or other husbandry purposes. In this definition: <i>Emergency feeding</i> means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land; <i>Seasonal feeding</i> means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;		Animal production

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	<i>Supplementary feeding</i> means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.		
Greenhouse gas sequestration	Land used for greenhouse gas substance injection and monitoring as defined in the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .		Earth and energy resources industry
Greenhouse gas sequestration exploration	Land used for greenhouse gas sequestration formation exploration as defined in the <i>Greenhouse Gas Geological Sequestration Act 2008</i> .		Earth and energy resources industry
Group accommodation	Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.		Accommodation
Hairdresser			Shop
Hall			Place of assembly
Helicopter landing site	Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.		
Heliport			Transport terminal
Home based business	An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere.		
Horse husbandry	Land used to keep, breed, board or train horses.	Horse riding school Horse stables	Animal husbandry
Horse riding school			Horse husbandry
Horse stables			Horse husbandry
Horticulture	Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.	Market garden	Crop raising

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Hospital	Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.		
Host farm	An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.		Accommodation
Hotel	Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		Food and drink premises
Indoor recreation facility	A building used for indoor leisure, recreation, or sport.	Dancing studio	Minor sports and recreation facility
Industry	Land used for any of the following operations: a) any process of manufacture; b) dismantling or breaking up of any article; c) treating waste materials; d) winning clay, gravel, rock, sand, soil, stone, or other materials; e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or f) any process of testing or analysis. If on the same land as any of these operations, it also includes: a) storing goods used in the operation or resulting from it; b) providing amenities for people engaged in the operation; c) selling by wholesale, goods resulting from the operation; and d) accounting or administration in connection with the operation.	Materials recycling Refuse disposal Transfer station Research and development centre Rural industry Service industry	

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	If Materials recycling, goods resulting from the operation may be sold by retail.		
Informal outdoor recreation	Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.		Minor sports and recreation facility
Intensive animal production	Land used for animal production where the animals' food is imported from outside the immediate building, enclosure, paddock or pen. It does not include: ▪ an abattoir or sale yard; or ▪ grazing animal production, pig farm, poultry farm or poultry hatchery.	Cattle feedlot Intensive dairy farm	Animal production
Intensive dairy farm	Land used for intensive animal production where cattle are kept or bred for the production of milk.		Intensive animal production
Interpretation centre	A facility that assists in the public understanding of the natural or cultural environment.		
Jetty			Marina
Kindergarten			Child care centre
Landscape gardening supplies	Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.	Garden supplies Plant nursery	Retail premises
Laundromat	Land used to clean or launder clothing or household items using self-service machines.		Shop
Leisure and recreation	Land used for leisure, recreation, or sport.	Major sports and recreation facility Minor sports and recreation facility Motor racing track	
Library			Place of assembly
Liquid fuel depot	Land used to store, sell by wholesale, and distribute fuel.		Fuel depot

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Mail centre	Land used to sort mail for distribution.		Warehouse
Major sports and recreation facility	Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.	Race course	Leisure and recreation
Manufacturing sales	Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.		Retail premises
Marina	Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.	Jetty Mooring pole Pier Pontoon	Recreational boat facility
Market	Land used to sell goods, including foodstuffs, from stalls.		Retail premises
Market garden			Horticulture
Materials recycling	Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.		Industry
Medical centre	Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only.		Office
Milk depot	Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.		Warehouse
Mineral exploration	Land used for exploration as defined in the <i>Mineral Resources (Sustainable Development) Act 1990</i> .		Earth and energy resources industry
Mining	Land used for mining as defined in the <i>Mineral Resources (Sustainable Development) Act 1990</i> .		Earth and energy resources industry
Minor sports and recreation facility	Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.	Indoor recreation facility	Leisure and recreation

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
		Informal outdoor recreation Open sports ground Outdoor recreation facility Restricted recreation facility	
Minor utility installation	Land used for a utility installation comprising any of the following: a) sewerage or water mains; b) storm or flood water drains or retarding basins; c) flow measurement device or a structure to gauge waterway flow; d) siphons, water storage tanks, disinfection booster stations and channels; e) gas mains providing gas directly to consumers; f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood; g) a pumping station required to serve a neighbourhood; h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; i) an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction; or j) a battery 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

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Motor racing track	Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.		Leisure and recreation
Motor repairs	Land used to repair or service motor vehicles, and includes the fitting of accessories.	Panel beating	Service industry
Motor vehicle, boat, or caravan sales	Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.	Car sales	Retail premises
Museum	Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.		Exhibition centre
Natural systems	Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.		
Nightclub	A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.		Place of assembly
Office	Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.	Bank Electoral office Electorate office Medical centre Real estate agency Travel agency	
Open sports ground	Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.		Minor sports and recreation facility

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Outdoor recreation facility	Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.	Amusement park Golf course Golf driving range Paintball games facility Zoo	Minor sports and recreation facility
Paintball games facility			Outdoor recreation facility
Panel beating	Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.		Motor repairs
Party supplies			Restricted retail premises
Petroleum exploration	Land used for petroleum exploration as defined in the <i>Petroleum Act 1998</i> .		Earth and energy resources industry
Petroleum production	Land used for petroleum production as defined in the <i>Petroleum Act 1998</i> .		Earth and energy resources industry
Pier			Marina
Pig farm	Land used to keep or breed pigs.		Animal production
Place of assembly	Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.	Amusement parlour Carnival Cinema Cinema-based entertainment facility Circus Drive-in theatre Exhibition centre Function centre Hall Library Nightclub Place of worship Restricted place of assembly	

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Place of worship	Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.		Place of assembly
Plant nursery	Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.		Landscape gardening supplies
Pontoon			Marina
Postal agency			Retail premises
Poultry farm	Land used to keep or breed poultry.	Broiler farm	Animal production
Poultry hatchery	Land used to incubate and hatch poultry eggs.		Animal production
Primary produce sales	Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.		Retail premises
Primary school			Education centre
Race course			Major sports and recreation facility
Racing dog husbandry	Land used to keep, breed, board or train racing dogs.	Racing dog training	Animal husbandry
Racing dog training			Racing dog husbandry
Railway station	Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.		Transport terminal
Real estate agency			Office
Reception centre			Function centre
Recreational boat facility	Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.	Boat launching facility Marina	
Refuse disposal	Land used to dispose of refuse, by landfill, incineration, or other means.		Industry

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Renewable energy facility	Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.	Wind energy facility Solar energy facility	Energy generation facility
Research and development centre	Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.		Industry
Research centre	Land used only for scientific research.		
Reservoir	A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.		Utility installation
Residential aged care facility	Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.		Accommodation
Residential building	Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dwelling, group accommodation, host farm, residential village, retirement village or small second dwelling.	Community care accommodation Residential hotel Rooming house Rural worker accommodation	Accommodation
Residential hotel	Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference	Motel	Residential building

BAYSIDE PLANNING SCHEME

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: a) entertainment and dancing; and b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.		Food and drink premises
Restricted place of assembly	Land used by members of a club or group, or by members' guests, for religious, spiritual or cultural activities, entertainment, or meetings. It may include food and drink for consumption on the premises, and gaming.		Place of assembly
Restricted recreation facility	Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members' guests, or by the public on payment of a fee.		Minor sports and recreation facility
Restricted retail premises	Land used to sell or hire: a) automotive parts and accessories; b) camping, outdoor and recreation goods c) electric light fittings; d) animal supplies including equestrian and pet goods; e) floor and window coverings;	Equestrian supplies Party supplies	Shop

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	f) furniture, bedding, furnishings, fabric and manchester and homewares; g) household appliances, household electrical goods and home entertainment goods; h) party supplies; i) swimming pools; j) office equipment and supplies; k) baby and children's goods, children's play equipment and accessories; l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which: ▪ Require a large area for handling, display and storage of goods; or ▪ Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. It does not include the sale of food, clothing and footwear unless ancillary to the primary use.		
Retail premises	Land used to: a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.	Food and drink premises Gambling premises Landscape gardening supplies Manufacturing sales Market Motor vehicle, boat, or caravan sales Postal agency Primary produce sales Shop Trade supplies	

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
Retirement village	Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.		Accommodation
Rice growing			Crop raising
Road freight terminal			Transport terminal
Rooming house	Land used for a rooming house as defined in the <i>Residential Tenancies Act 1997</i> .		Residential building
Rural industry	Land used to: a) handle, treat, process, or pack agricultural produce; b) service or repair plant, or equipment, used in agriculture; or c) manufacture mud bricks.	Abattoir Sawmill	Industry
Rural store	Land used to store unprocessed agricultural produce, or products used in agriculture.		Store
Rural worker accommodation	Land used to accommodate a person engaged in agricultural production, away from their normal place of residence.		Residential building
Saleyard	Land used to hold, sell, and buy farm animals.		
Sawmill	Land used to handle, cut, and process timber from logs.		Rural industry
Secondary school			Education centre
Service industry	Land used to launder, repair, service or wash articles, machinery, or vehicles.	Car wash Dry cleaner Motor repairs	Industry
Service station	Land used to sell motor vehicle fuel from bowzers or charge electric vehicles. It may include the: a) selling of motor vehicle lubricants, accessories or parts; b) selling of food, drinks and other convenience goods; c) hiring of trailers;		

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	d) servicing or washing of motor vehicles; and e) installing of motor vehicle accessories or parts.		
Sex services premises	Land used to sell services involving the use or display of the body of the person providing the service for the sexual arousal or sexual gratification of another person while they are present on the land. It does not include: - Live entertainment performed for an audience, by a person performing an act of an explicit sexual nature, such as lap dancing, nude dancing and striptease. - Sexual activities engaged in by two or more people required to pay an admission fee or charge to enter the premises on the same terms and who do not receive any form of payment or reward, whether directly or indirectly, for engaging in the sexual activities.		Shop
Shipping container storage	Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.		Store
Shop	Land used to sell goods or services, or to hire goods. It includes: - the selling of bread, pastries, cakes or other products baked on the premises; - demonstrations of products including music performances in shops selling recorded music. It does not include: - food and drink premises; - gambling premises; - landscape gardening supplies; - manufacturing sales; - market;	Adult sex product shop Beauty salon Bottle shop Convenience shop Dry cleaning agent Department store Hairdresser Laundromat Restricted retail premises Sex services premises	Retail premises

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	▪ motor vehicle, boat, or caravan sales; ▪ postal agency; ▪ primary produce sales; or ▪ trade supplies.	Supermarket	
Sign			
Slipway			Boat launching facility
Small second dwelling	A building with a gross floor area of 60 square metres or less, on the same lot as an existing dwelling and used as a self-contained residence, which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin.		Accommodation
Solar energy facility	Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.		Renewable energy facility
Solid fuel depot	Land used to sell solid fuel, such as briquettes, coal, and fire wood.		Fuel depot
Stone exploration	Land used to search for stone, including: a) conducting geological, geophysical, and geochemical surveys; b) costeaning and bulk sampling; c) drilling; and d) taking samples for chemical, physical, or other testing.		Earth and energy resources industry
Store	Land used to store goods, machinery, or vehicles.	Boat and caravan storage Freezing and cool storage	Warehouse

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
		Rural store Shipping container storage Vehicle store	
Supermarket			Shop
Take away food premises	Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.		Food and drink premises
Telecommunications facility	Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.		Utility installation
Tertiary institution			Education centre
Timber production	Land used to propagate, cultivate, manage and harvest timber.		Crop raising
Timber yard	Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.		Trade supplies
Trade supplies	Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or	Timber yard	Retail premises

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	h) local government, government departments or public institutions.		
Tramway	Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops and shelters, shunting areas and associated passenger facilities.		
Transfer station	Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.	Automated collection point Container deposit scheme centre	Industry
Transport terminal	Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.	Airport Bus terminal Heliport Railway station Road freight terminal Wharf	
Travel agency			Office
Utility installation	Land used: a) for telecommunications; b) to transmit or distribute gas or oil; c) to transmit, distribute or store power; d) to collect, treat, transmit, store, or distribute water; or e) to collect, treat, or dispose of storm or flood water, sewage, or sullage. It includes any associated flow measurement device or a structure to gauge waterway flow.	Data centre Minor utility installation Reservoir Telecommunications facility	
Vehicle store	Land used to park or store vehicles in connection with a goods or passenger transport business.		Store
Veterinary centre	Land used to: a) diagnose animal diseases or disorders; b) surgically or medically treat animals; or c) prevent animal diseases or disorders.		

BAYSIDE PLANNING SCHEME

Land use term	Definition	Includes	Included in
	It may include keeping the animals on the premises for treatment.		
Warehouse	Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.	Commercial display area Fuel depot Mail centre Milk depot Store	
Waste-to-energy facility	Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.		Energy generation facility
Water retarding basin	Land used to store storm or flood water on a temporary basis.		Minor utility installation
Wharf	Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.		Transport terminal
Wind energy facility	Land used to generate electricity by wind force. It includes land used for: a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer. It does not include turbines principally used to supply electricity for domestic or rural use of the land.		Renewable energy facility
Winery	Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.		
Zoo			Outdoor recreation facility

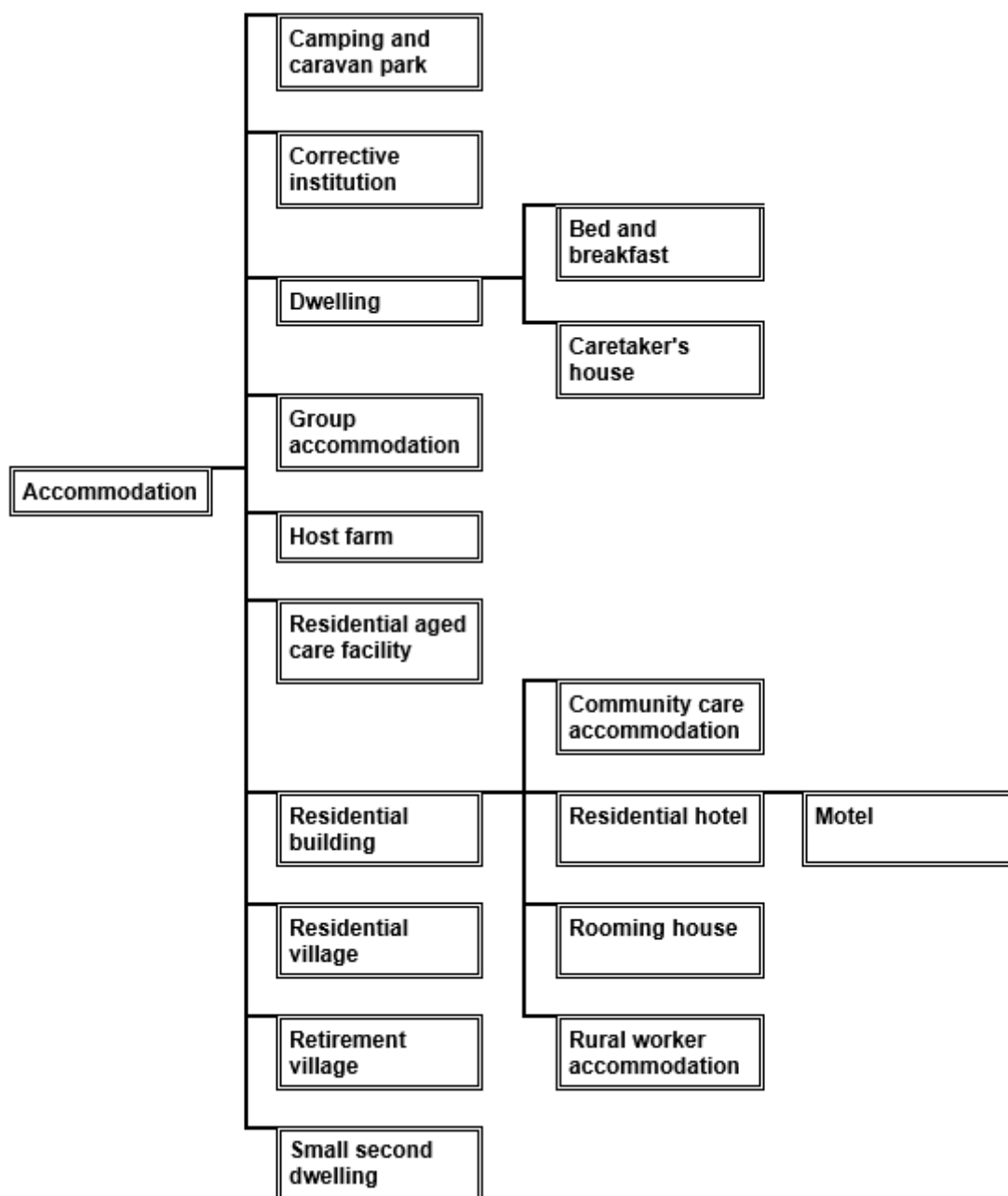
73.0408/08/2019
VC159**NESTING DIAGRAMS**

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

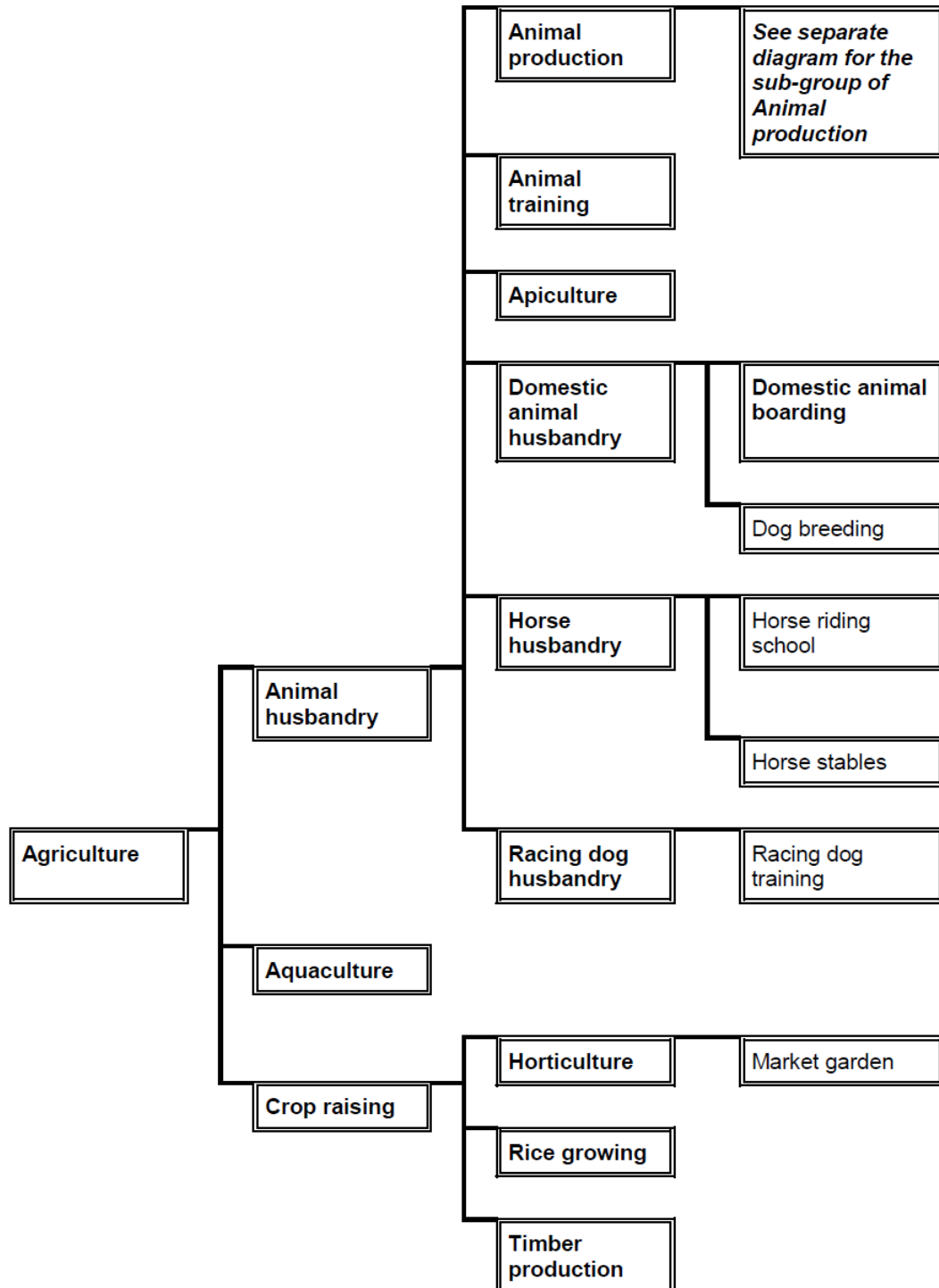
Land use terms in bold font are defined in Clause 73.03.

73.04-114/12/2023
VC253**Accommodation group**

73.04-2

08/08/2019
VC159

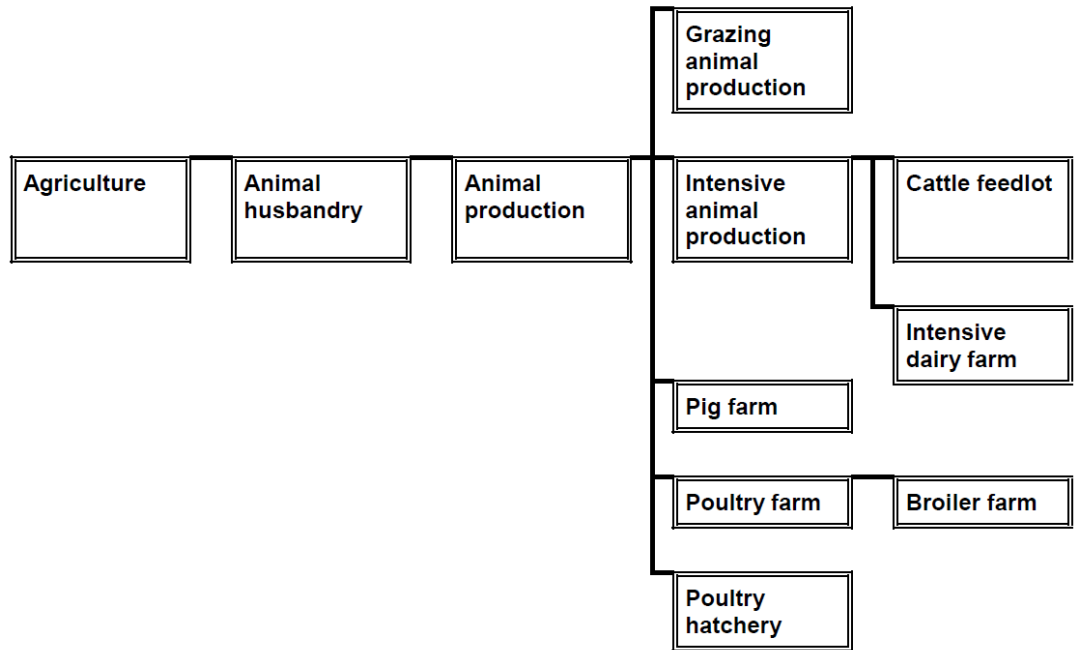
Agriculture group



73.04-3

24/01/2020
VC160

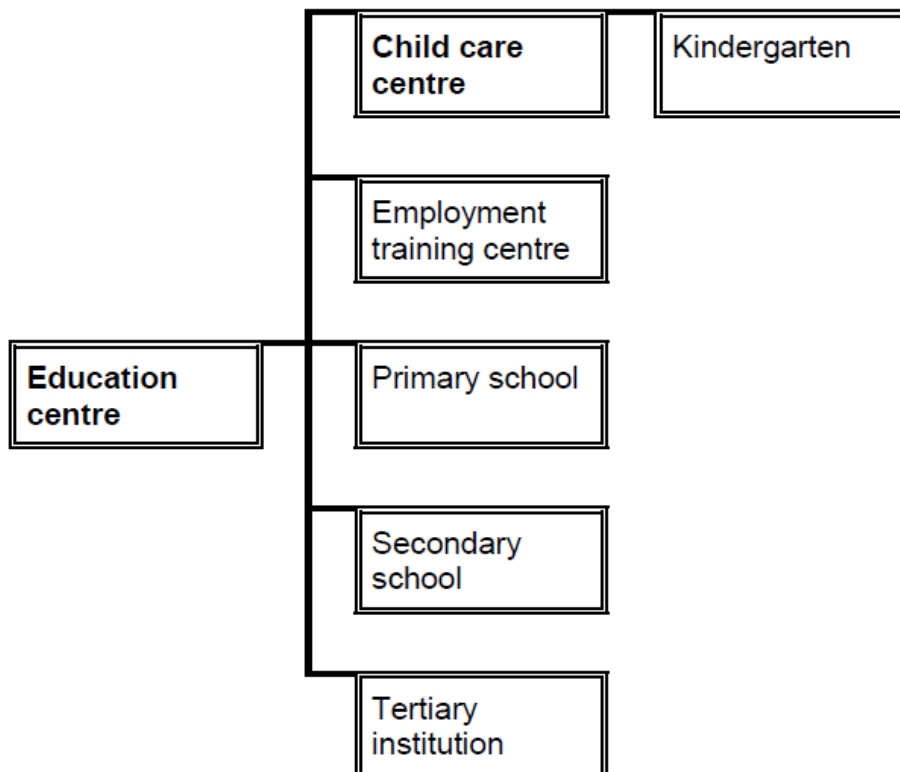
Agriculture group (sub-group of Animal production)



73.04-4

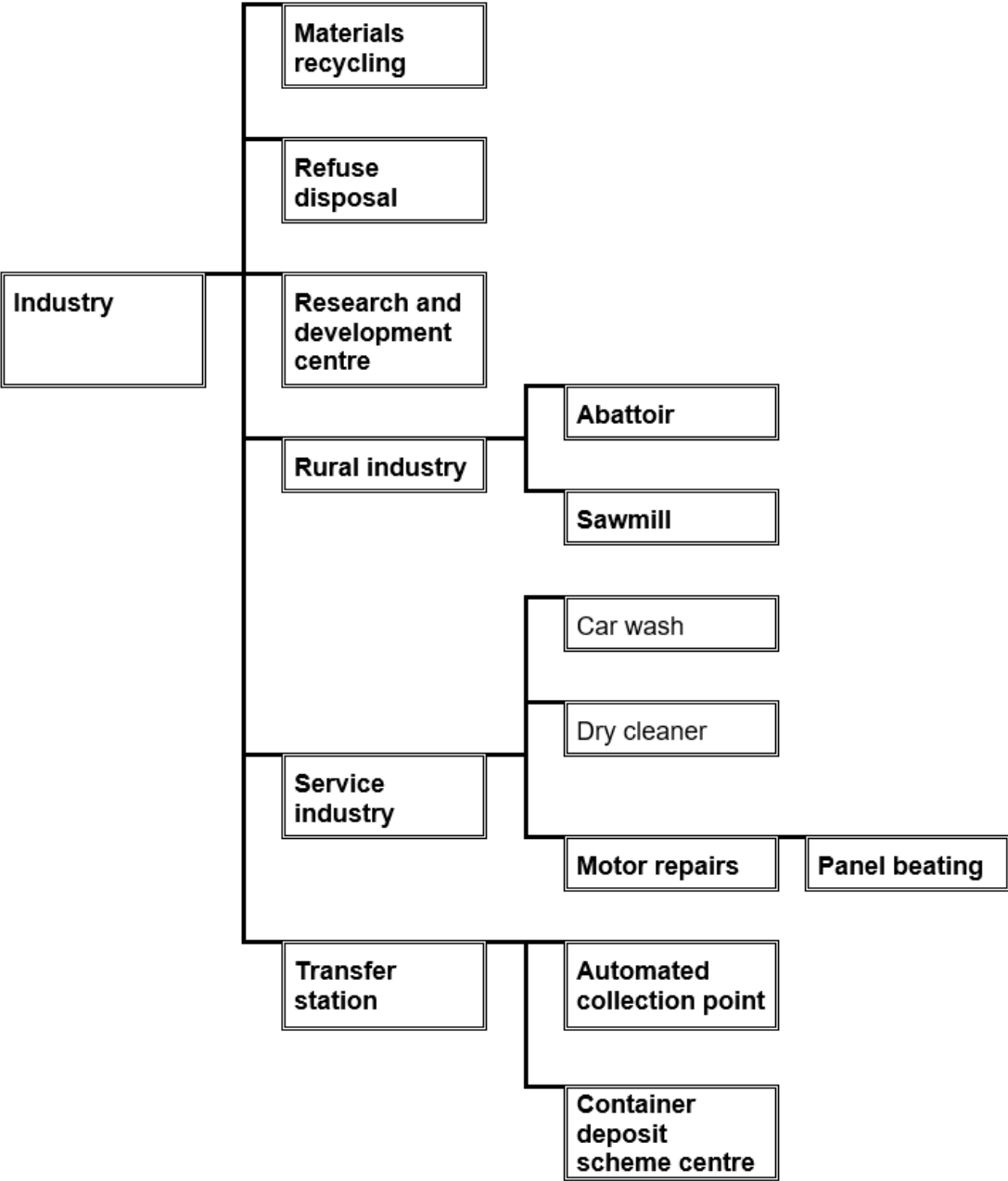
24/01/2020
VC160

Education centre group



73.04-5
26/09/2023
VC246

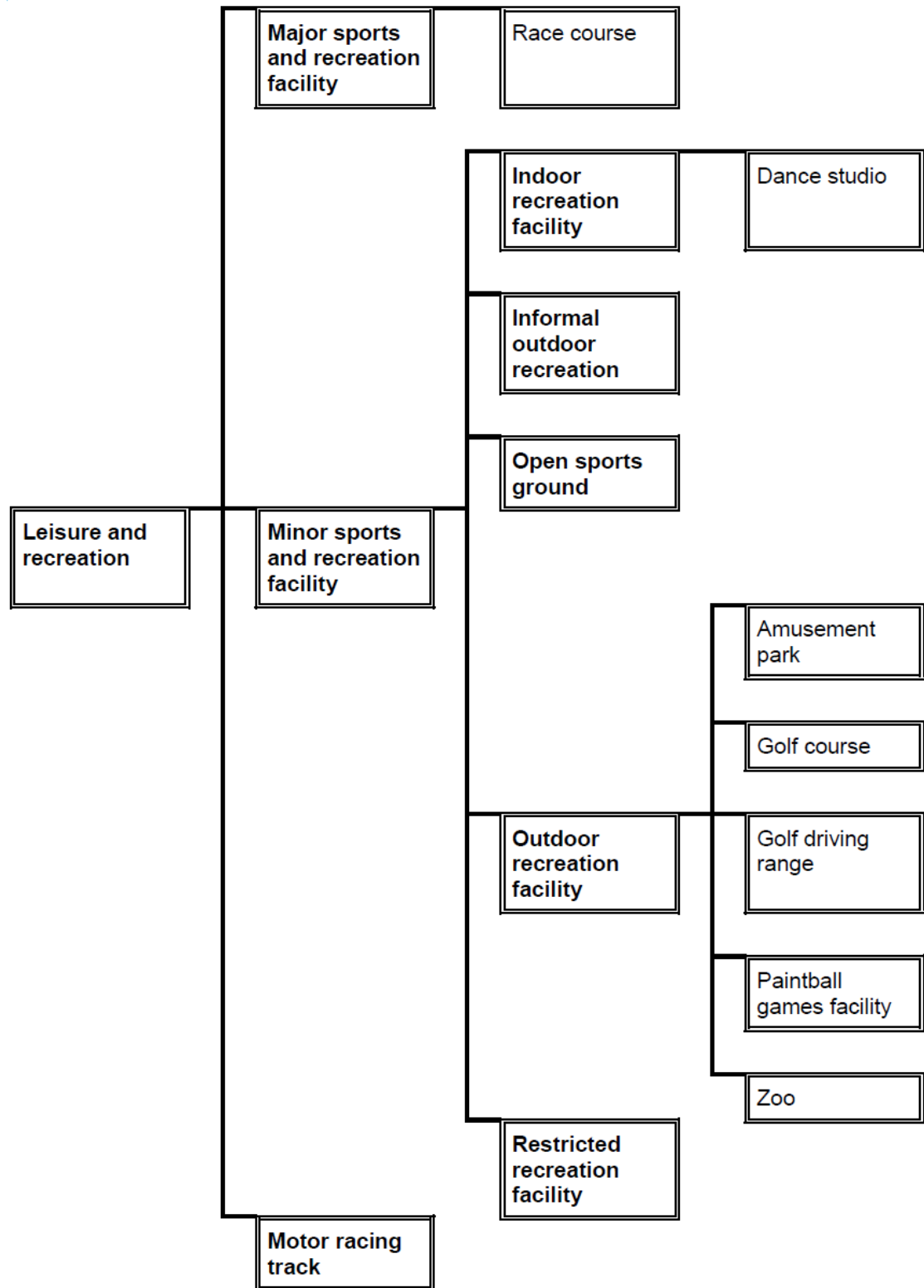
Industry group



73.04-6

16/08/2019
VC163

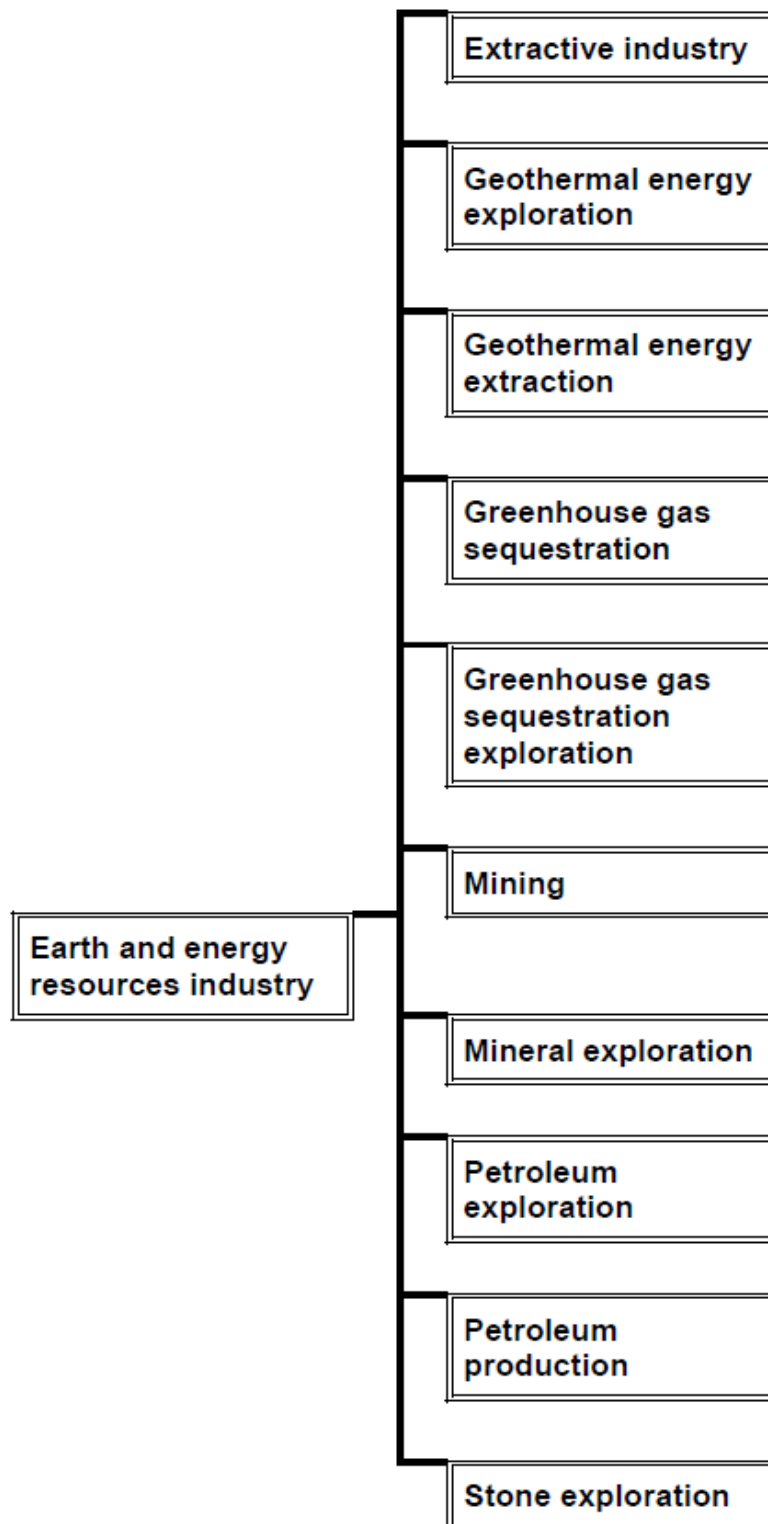
Leisure and recreation group



73.04-7

24/01/2020
VC160

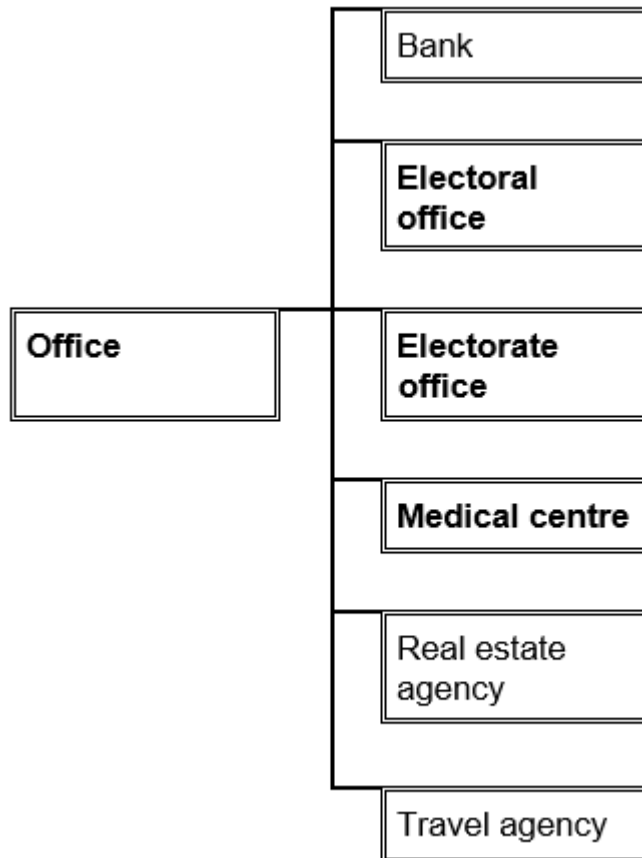
Earth and energy resources group



73.04-8

28/10/2022
VC224

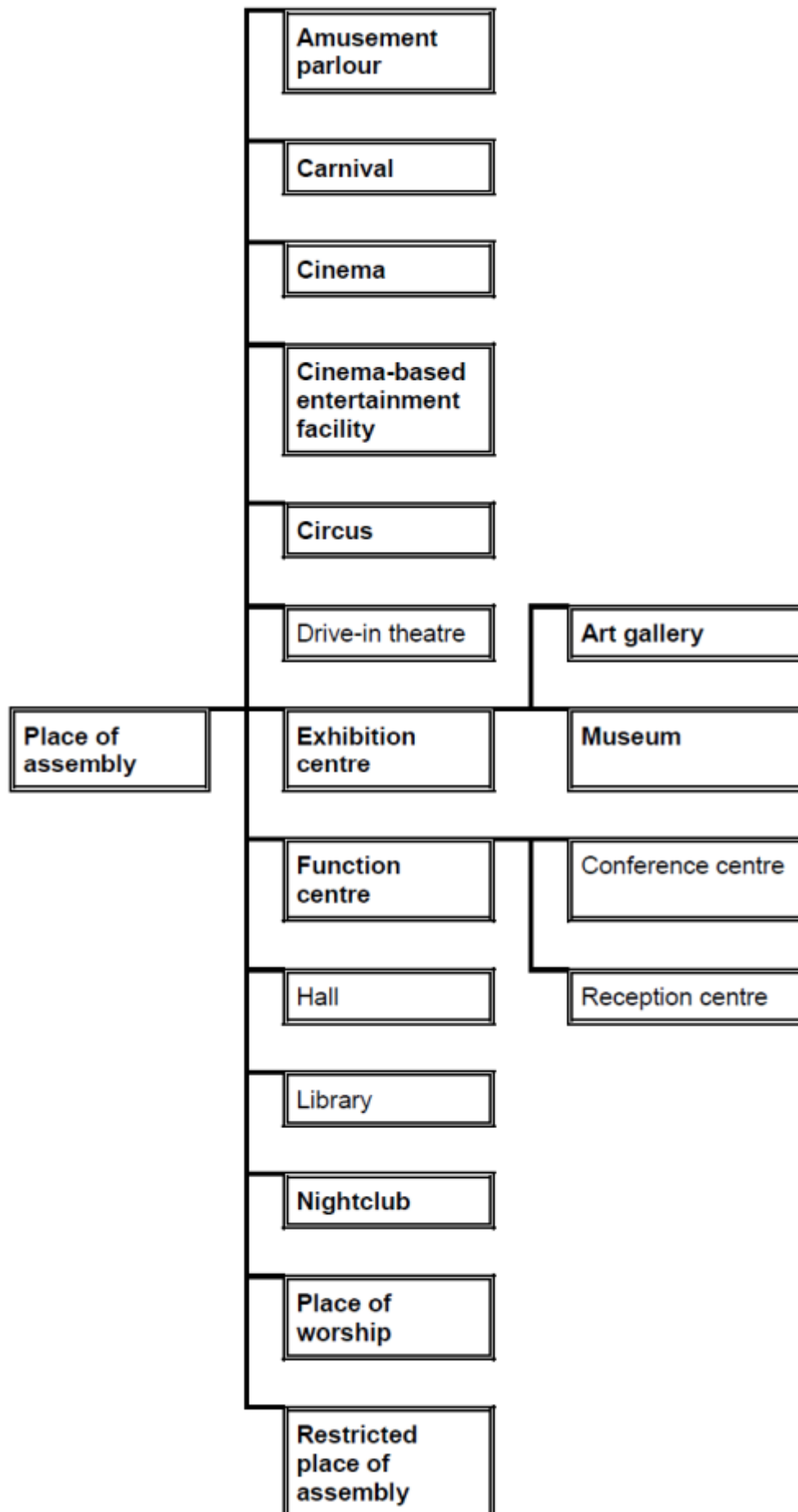
Office group



73.04-9

16/08/2019
VC163

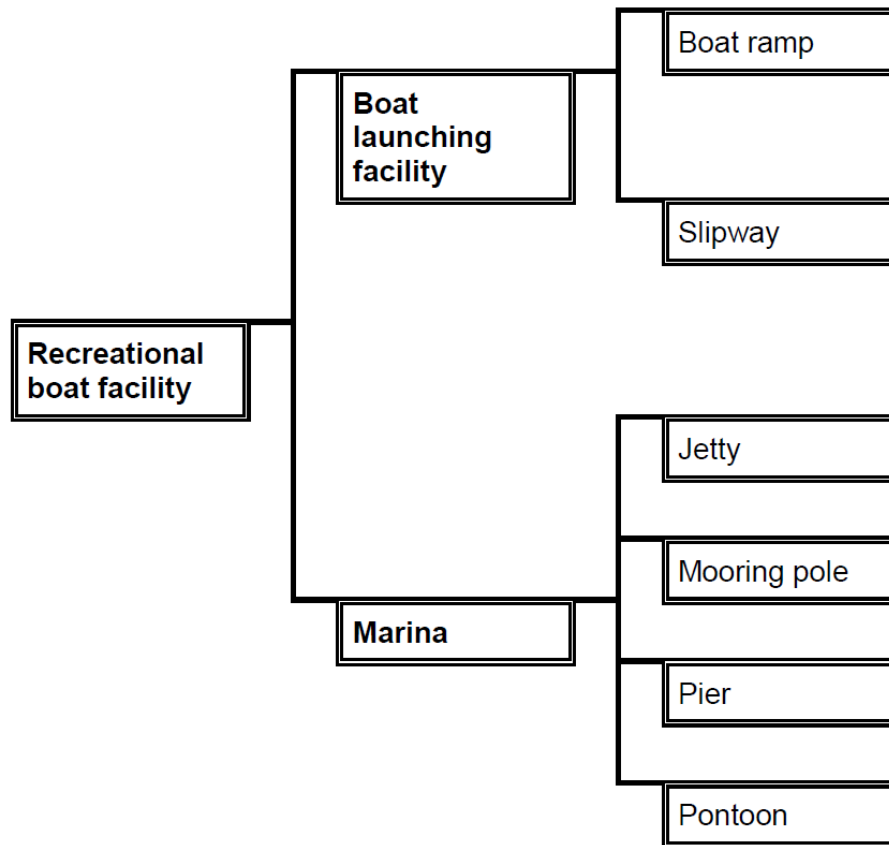
Place of assembly group



73.04-10

24/01/2020
VC160

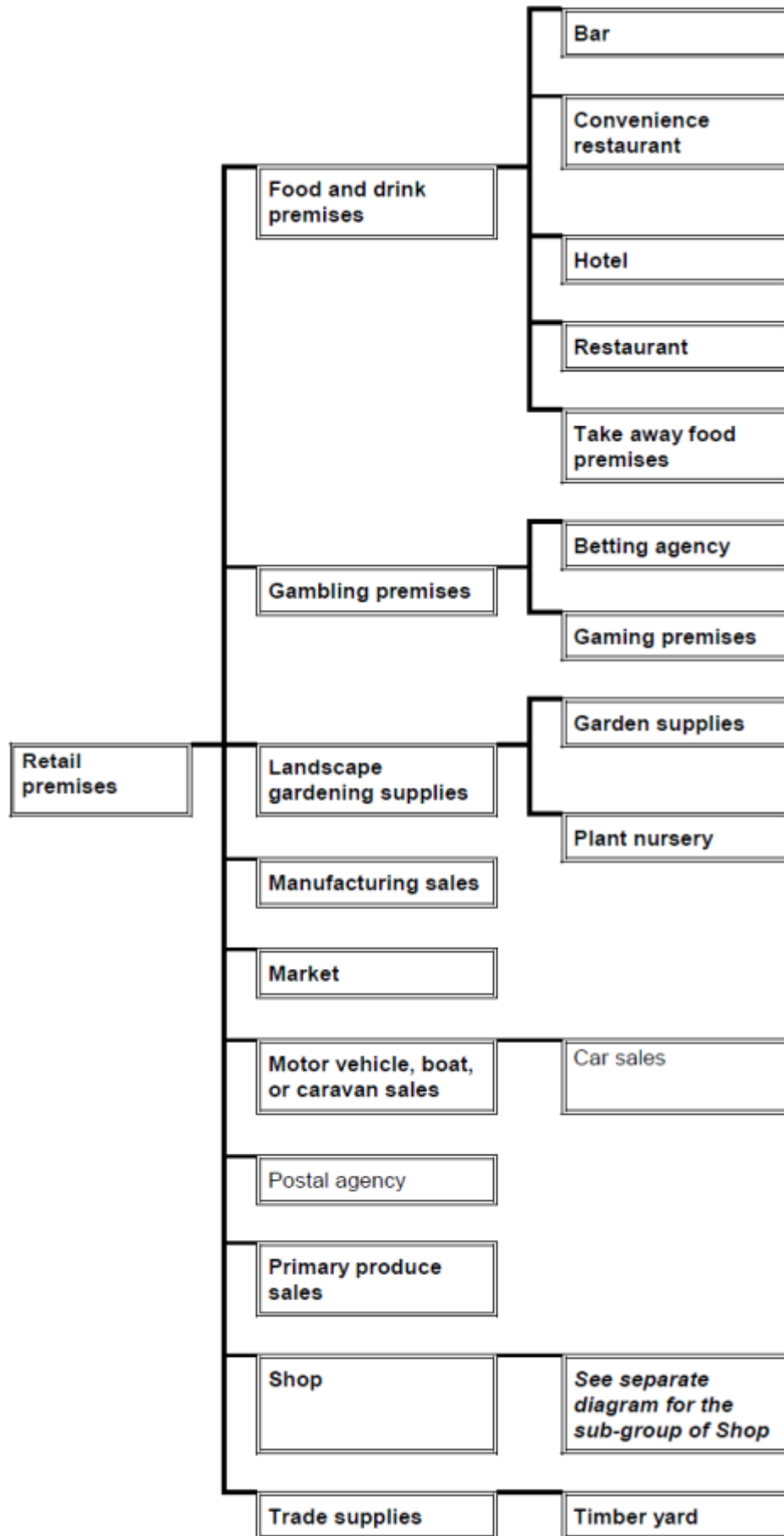
Recreational boat facility group



73.04-11

16/08/2019
VC163

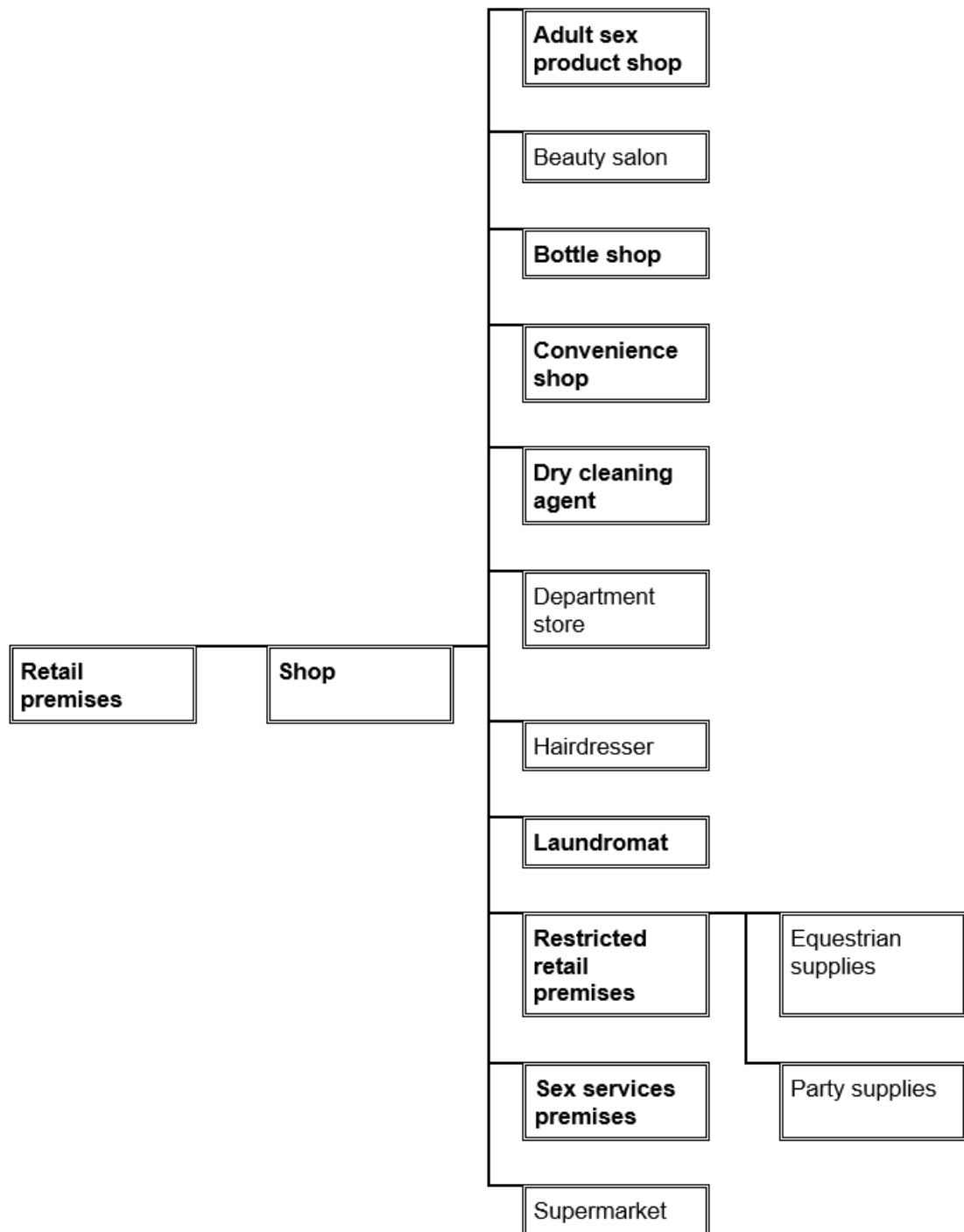
Retail premises group



73.04-12

01/12/2023
VC217

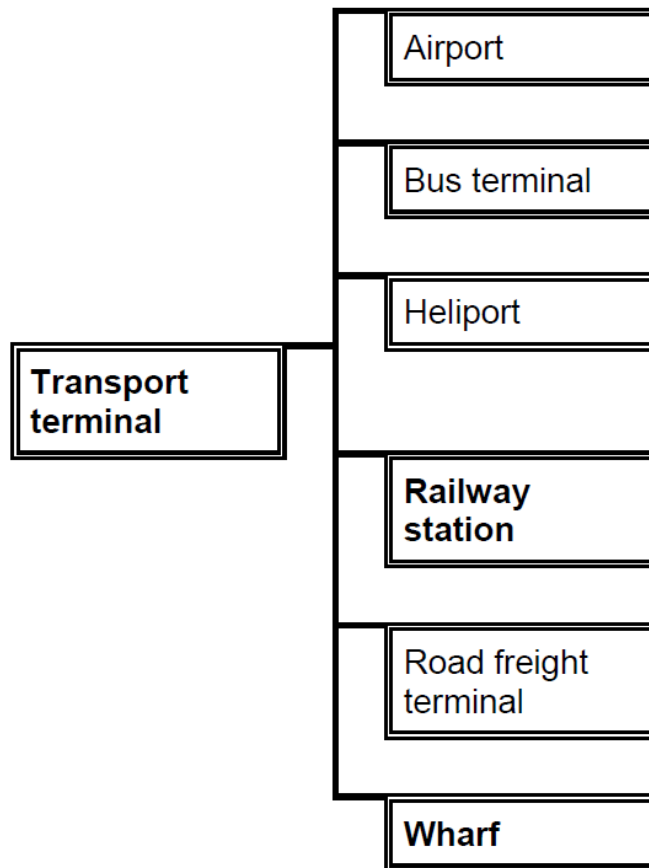
Retail premises group (sub-group of Shop)



73.04-13

24/01/2020
VC160

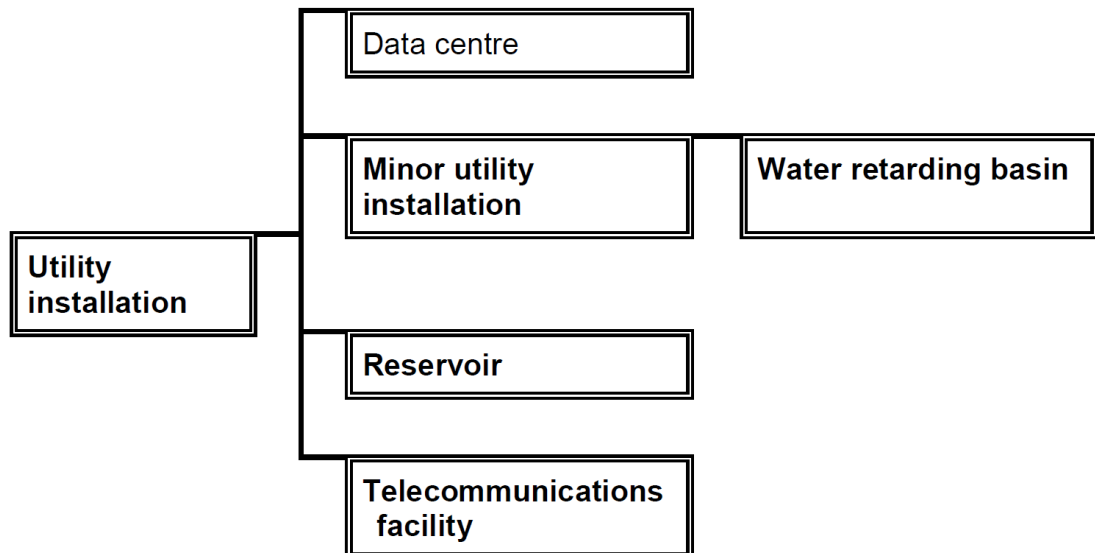
Transport terminal group



73.04-14

08/08/2019
VC159

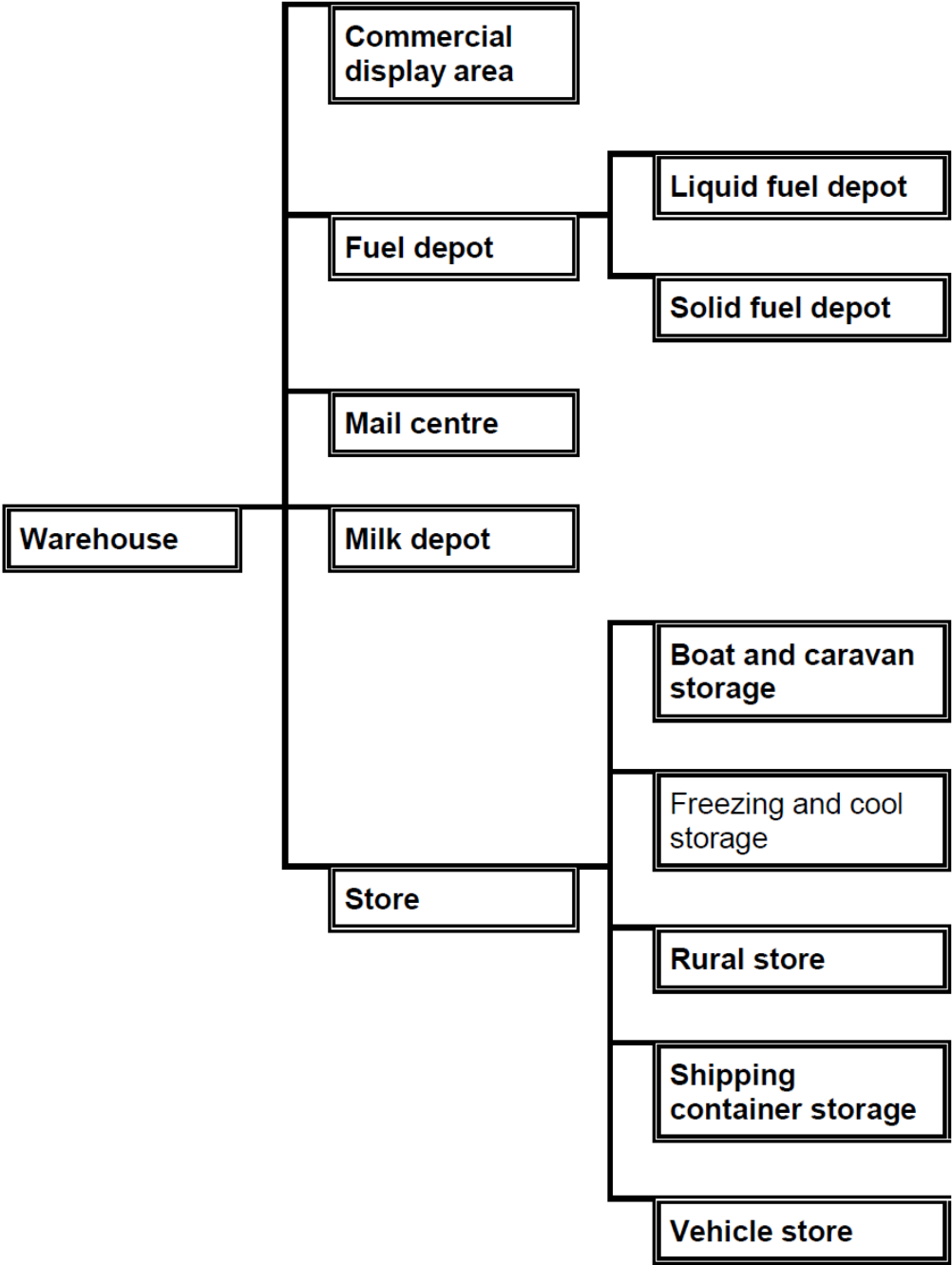
Utility installation group



73.04-15

24/01/2020
VC160

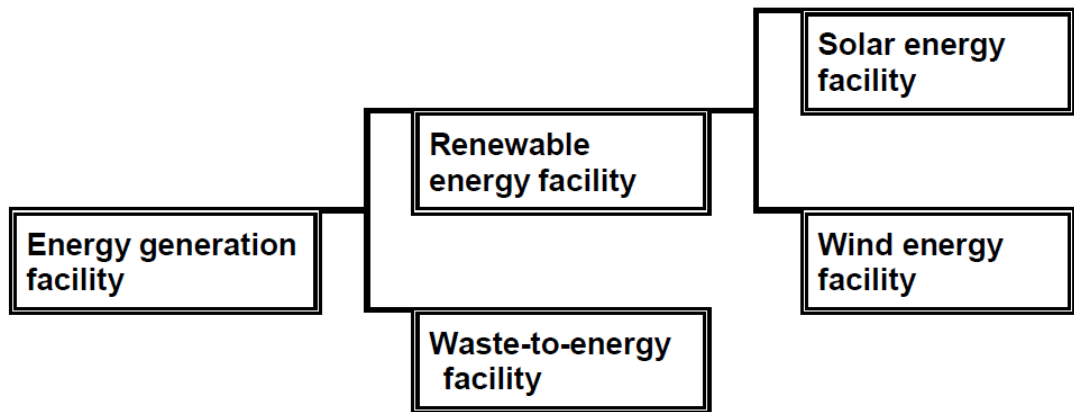
Warehouse group



73.04-16

24/01/2020
VC160

Energy Group



73.04-17

01/12/2023
VC217

Land use terms that are not nested

Art and craft centre

Car park

Cemetery

Crematorium

Display home centre

Emergency services facility

Freeway service centre

Funeral parlour

Helicopter landing site

Home based business

Hospital

Interpretation centre

Natural systems

Research centre

Saleyard

Service station

Sign

Tramway

Veterinary centre

Winery

STRATEGIC IMPLEMENTATION

74.01

31/07/2018
VC148

APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS**1.0**31/03/2026
GC270**Application of zones, overlays and provisions**

This planning scheme applies the following zones, overlays and provisions to implement the Municipal Planning Strategy and the objectives and strategies in Clauses 11 to 19:

- Activity Centre Zone to the Moorabbin Activity Centre.
 - Housing Choice and Transport Zone to encourage higher density development in the catchment of activity centres.
 - Built Form Overlay to facilitate higher density development that provides for high amenity living and working environments close to infrastructure and public transport.
 - Vegetation Protection Overlay Schedule 1 to coastal areas that are significant for their diverse vegetation, and environmental value in providing habitat areas of regional, state and national significance.
 - Vegetation Protection Overlay Schedule 2 to remnant bushland reserves that are significant for their diversity and environmental value in providing habitat areas of regional, state and national significance.
 - Environmental Significance Overlay to ensure that development is compatible with identified environmental values, such as the cliffs and underlying gravel beds of Beaumaris Bay that contain one of the richest and most diverse fossil assemblages in Australia.
 - Transport Zone 2 to all declared roads to reflect their status under the *Transport Act 1984*.
 - Transport Zone 3 to all other major roads in Bayside to reflect their strategic importance as major traffic collectors.
 - Design and Development Overlay to facilitate the protection of the residential environs.
 - Development Plan Overlay to large new residential developments to manage the form of development.
 - Significant Landscape Overlay to residential areas of landscape significance.
 - Neighbourhood Character Overlay to two areas of Highett formerly zoned industrial and now zoned for residential purposes.
 - Design and Development Overlay to the Beaumaris Concourse Activity Centre in order to guide the built form of development in the centre.
 - Design and Development Overlay to the Highett Neighbourhood Activity Centre to guide the built form of development in the centre.
 - Design and Development Overlay to Small Neighbourhood Activity Centres and Small Commercial Activity Centres to guide the height, design and built form of new development and to ensure the sustainable development of these centres.
 - Design and Development Overlay to protect and enhance the built form and landscapes within the coastal hinterland and residential environs and views from Port Phillip Bay.
 - Heritage Overlay to preserve buildings, structures and natural features identified as having cultural significance.
 - Development Plan Overlay to private schools and hospitals/hostels that have developed master plans.
 - Specific Controls Overlay and Clause 51.01 (Specific Sites and Exclusions), the Schedule to Clause 51.01 and consider the Council policy *Temporary Advertising Signs on Recreation Reserves* (June 2004, revised March 2005) to regulate the display of temporary advertising signs within and around specified areas of open space.
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BAYSIDE PLANNING SCHEME

- Public Conservation and Resource Zone to areas with regional significance for biodiversity.
- Public Park and Recreation Zone (PPRZ) to the 1 hectare of open space for active and passive recreation within the CSIRO site. This should be provided within the centre of the site to link with the Lyle Anderson Reserve to the east and broader Highett to the west.

74.02

31/07/2018
VC148

FURTHER STRATEGIC WORK

The schedule to this clause may specify the planning authority's approach to further strategic work.

A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK**1.0****Further strategic work**

- Develop guidelines to assist Council in managing commercial signs in open spaces.
 - Examine mechanisms to achieve integrated transport plans as part of planning permit applications.
 - Prepare a parking strategy for Bayside, setting out principles for the management of on-street and off street car parking, including precinct plans for activity centres.
 - Assess the feasibility of tree controls over front setback areas to enhance residential character.
 - Develop a design policy for new buildings and infrastructure on the foreshore.
 - Investigate the potential use of development contributions plans for the provision and upgrade of physical and social infrastructure.
 - At the Church St MAC replace the large at-grade level car parks behind the shops in Well Street with a mixed use development which will provide additional car parking, a small public open space and a residential interface with Well Street.
 - Monitor the development of commercial uses in activity centres to determine whether sufficient commercial space to service future population need is being retained or whether alternative means of regulating commercial land use is required.
 - Investigate the need for specific controls to implement priority pedestrian links and laneway widening nominated on MAC and NAC Structure Plan maps.
 - Extend public realm treatments to the western end of Bay Street Brighton MAC to encourage public activity and social interaction.
 - Investigate opportunities to increase public open space adjacent to the Elster Creek canal and to partner with Melbourne Water to increase the use of the Elster Creek Canal for recreation.
 - Investigate preferred statutory mechanisms to ensure public open space creation and delivery of key infrastructure projects within the Hampton East Structure Plan area.
 - Establish a consistent urban design theme for the BBD incorporating parking and landscaping of the public realm to support a high amenity business environment.
 - Consider rezoning of BBD land zoned MUZ to C1Z fronting Bay Road to maintain its commercial focus and discourage residential uses at ground level.
 - Review urban design guidelines and prepare preferred lot size, layout and development guidelines to establish preferred built form, development and land use outcomes within the Bayside Business District and at the interface of adjoining residential areas.
 - Investigate the introduction of a municipal wide Environmentally Sustainable Design Policy to improve the environmental performance of new development (eg. BESS).
 - Investigate whether vegetation or landscape protection is appropriate for some or all of the residential areas of the Highett Activity Centre.
 - Monitor delivery of infrastructure and completion of actions associated with adopted structure plans.
 - Prepare design and development guidelines for activity centres.
 - Monitor Small Neighbourhood Activity Centres to identify any changes to the hierarchy.
 - Investigate improvements in connecting coastal small activity centres with the foreshore.
 - Prepare a master plan for the public realm around the South Road and Esplanade Centre to better integrate the centre with the foreshore.
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BAYSIDE PLANNING SCHEME

- Investigate options for improving the interface between the Highett Railway Station and surrounds including pedestrian access and wayfinding.
 - Develop a set of criteria for sites where affordable housing is a consideration in planning applications.
 - Explore other planning tools to achieve an increase in the supply of affordable housing.
-