Hobsons Bay Planning Scheme

PLANNING SCHEME

Planning scheme last updated by VC315 on 24/09/2026

00 PURPOSE AND VISION

02/09/2025
VC283

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

ACKNOWLEDGEMENT OF COUNTRY

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

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

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

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

01 PURPOSES AND VISION FOR VICTORIA

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01.01 PURPOSES OF THIS PLANNING SCHEME

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

01.02 VISION FOR VICTORIA

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THE PEOPLE'S PANEL VISION FOR VICTORIA

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

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

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

02 MUNICIPAL PLANNING STRATEGY

24/02/2022
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02.01 CONTEXT

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The City of Hobsons Bay is a coastal municipality located on the northern shore of Port Phillip Bay. Situated between 7 and 20 kilometres south-west of central Melbourne it covers an area of 66 square kilometres and shares boundaries with the City of Wyndham to the west, the Cities of Maribyrnong and Brimbank to the north and is bounded by Port Phillip Bay to the east and the south.

Hobsons Bay is home to the diverse communities of Altona, Altona Meadows, Altona North, Brooklyn, Laverton, Newport, Seabrook, Seaholme, South Kingsville, Spotswood, Williamstown and Williamstown North. Each of these communities has its own unique character, ranging from the historic seaport of Williamstown, with its range of heritage buildings, to the newer residential areas of Altona Meadows and Seabrook.

The estimated residential population of the municipality in 2016 was 93,392 and is forecast to increase to 112,642 residents by 2036 (ABS, 2016; forecast.id, 2018). This growth can largely be attributed to suburb regeneration and the transition of Strategic Redevelopment Areas to residential use. The age structure of the population is generally similar to that of the metropolitan region and includes an ageing population.

Hobsons Bay's rich natural environment includes over 20 kilometres of beaches and foreshore areas, significant coastal wetlands, five creek systems, remnant native grasslands, and important flora and fauna habitats. This diversity and breadth of habitats is unique in an area so close to central Melbourne and is valued by the community for the recreation opportunities they provide and the floral and faunal habitats they protect. The municipality is an integral part of industrial heartland of Melbourne's west and is home to some significant industries, including petrochemical and petroleum refining. The municipality shows potential for economic development due to its proximity to Melbourne's CBD and accessibility to ports and airports. The municipality is bounded by the Westgate Freeway/ Princes Highway to the north and the west and is traversed east – west by the national freight rail line. The state significant industrial land at the western end of the municipality is particularly well-placed to take advantage of this road and rail network.

02.02 VISION

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The community's vision for the municipality is that:

By 2030, embracing our heritage, environment and diversity, we – the community of Hobsons Bay – will be an inclusive, empowered, sustainable and visionary community, led and supported by a progressive Council of excellence.

Council has a strong commitment towards achieving positive environmental, cultural, social, economic and urban planning outcomes to achieve the following priorities:

- *Visionary, vibrant, accountable urban planning.*
- *Community wellbeing and inter-connection.*
- *Growth through innovation, access to local jobs, technology and education.*
- *Proactive enrichment, expansion and conservation of the natural and urban environment.*
- *Activated sustainable practices.*
- *An accessible and connected community.*

02.03 STRATEGIC DIRECTIONS

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02.03-1 Settlement

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Part of Melbourne's Western Region, the City of Hobsons Bay is experiencing significant residential development pressure as metropolitan Melbourne grows towards a city of 7.9 million people by 2050 (ABS, 2016; forecast.id, 2018).

Activity centres

There is a network of activity centres in the municipality, with each centre varying in terms of size, character, local identity and function. It comprises 38 centres including Major Activity Centres, Large, Medium and Small Neighbourhood Activity Centres, Micro Centres, an Enterprise Area and a supermarket-based Neighbourhood Activity Centre and mixed use/commercial area at the former industrial Precinct 15 in Altona North.

In planning for the growth of existing and new activity centres, council seeks to:

- Support the role and function of each centre in the context of its classification in the local activity centre network.
- Support the role of the Newport Large Neighbourhood Activity Centre as an art and cultural precinct and hub for commercial, mixed use and residential development.
- Support the growth of Central Square, Spotswood and Aviation Road to higher order Activity Centres.
- Protect and enhance the individual character of each activity centre.
- Encourage the diversification of activity centres to give communities access to a wide range of goods and services, employment and support local economies.
- Improve the social, economic and environmental performance and amenity of activity centres.
- Support higher density residential development and housing diversity in and around activity centres proportionate to their role and function.

Strategic redevelopment areas

The City of Hobsons Bay has become even more popular as a residential location of choice, and with this interest has come renewed investment in other commercial and service type land uses. In response to this demand Council has designated nine of the municipality's 22 industrial precincts as Strategic Redevelopment Areas, suitable for alternative land uses.

Council seeks to:

- Develop Strategic Redevelopment Areas in a holistic and integrated manner to ensure their redevelopment results in a net community benefit.
- Carefully manage interfaces between Strategic Redevelopment Areas and existing use and development.

02.03-2 Environmental and landscape values

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Hobsons Bay is home to natural coastal, grassland and landscapes of international, national, state and regional conservation significance. These include beaches and foreshore, salt marshes, waterways, wetlands, remnant native grassland areas and mangroves, such as the Cheetham Wetlands, Williamstown Foreshore, Altona Bay, Kororoit Creek, Altona Foreshore, Truganina swamp and park and Greenwich Bay.

This system of open spaces and waterways surrounds and punctuates Hobsons Bay's urban areas and create a distinctive landscape providing nature conservation and breathing spaces. It is also important for regional drainage, flood management, riparian habitat and water quality functions.

Hobsons Bay's coastline is one of the municipality's most attractive assets and defining features. The coastal areas offer residents and visitors city and bay views, access to beaches, coastal parks and scenic drives that provide a diversity of recreational experiences.

Council seeks to:

- Protect the municipality's rich natural environment and landscapes for their ecological significance and recreational value.
- Protect and conserve the natural habitat and geomorphology of landscapes (including grasslands and watercourses) as key habitat for indigenous flora and fauna.
- Prioritise the protection and conservation of marine environments in the assessment of any planning issues relating to the coast.
- Ensure that any use and development along or near the coastline respects, protects and conserves the landscape and biodiversity values of the coast.

02.03-3 Environmental risks and amenity

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Environmental risks

There is scientific evidence that climate change is now inevitable and that changes have already begun to occur. Climate change will exacerbate environmental risks already being experienced in the municipality. These risks include:

- **Extreme heat:** During periods of extreme heat health risks are exacerbated in urban areas by the urban heat island effect. This is caused by a lack of canopy trees or surface vegetation and the use of heat absorbent surfaces such as paving and concrete around buildings and within the public realm. A healthy and growing urban forest, consisting of trees on private and public land, is considered critical infrastructure in not only mitigating the effects of climate change but also in protecting and enhancing community health and wellbeing.
- **Flooding:** The inherent functions of creeks and floodplains to transport and store stormwater in times of extreme inundation must be protected for both environmental and community safety reasons.
- **Sea level rise:** In planning for sea level rise an accepted measure of potential future sea level should be used to consider the risk to development from 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.

Council seeks to:

- Minimise the impacts of climate change through urban and building design responses, particularly with regard to:
  - Sea level rise.
  - Storm surge.
  - Increasing heat.
  - Extreme weather events.
  - Reduction in greenhouse gas emissions.
- Enhance the municipality's urban forest by increasing tree canopy cover and supporting a diverse range of trees.
- Design developments to mitigate heat island impacts, including through the provision of surface vegetation, canopy trees and lighter colour roof materials.
- Ensure development close to flood prone land or in low-lying areas subject to inundation, mitigate flood risk and address overland flows from the urban drainage system.

- Manage stormwater runoff and protect waterways, floodplains and other flood prone areas to minimise the impacts of flooding in urban and non-urban areas.
- Plan for potential sea level rise.

Amenity

There is potential for amenity impacts resulting from land use conflict, particularly between residential and other land uses, such as:

- Residential areas and adjacent industrial land uses.
- Residential areas adjacent to the coast, creeks, wetlands and grasslands.
- Residential areas adjacent to parks and open space reserves.
- Other urban/non-urban interface areas.

Council seeks to:

- Protect residential amenity from the effects of noise, air, water and land pollution.
- Direct future housing to areas where potential conflict with existing industrial areas, major hazard facilities and pipeline infrastructure can be minimised.
- Protect both the amenity of future residents and the continued operation of the existing industry by supporting the incorporation of mitigation measures within residential development located on sites sharing an interface with an existing industrial use.
- Minimise the amenity impact of new commercial use and development in activity centres adjacent to residential areas.
- Protect open space reserves from the adverse impacts caused by residential development encroachment.

02.03-4 Natural resource management

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Water

The municipality is located within the Port Phillip and Westernport Catchment and is home to six significant waterways, including Skeleton Creek, Laverton Creek, Cherry Creek, Kororoit Creek, Stony Creek and the western bank of the Yarra River estuary. Skeleton Creek and Laverton Creek are the only two waterways that have high enough flow volumes and seasonality of flows for the migration of aquatic animals.

Land use and development within the municipality significantly influences local waterways and the overall health of both the Yarra and Maribyrnong River catchments. The intensification of urban development will inevitably result in the increased discharge of water in local waterways. There is a need to ensure that the quality and quantity of this discharge is controlled through development design and mitigation measures.

Council seeks to:

- Protect and restore catchments, waterways, groundwater and the marine environment.
- Use catchment management as the most effective and ecological approach to improving the marine environment.
- Protect the health of Laverton and Skeleton Creeks and their ecosystem functions by maintaining their high quality flows.
- Protect aquatic life by preventing excess sediment from entering waterways.

02.03-5 Built environment and heritage

24/02/2022
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Building and urban design

The quality and character of the urban fabric impacts on the image, amenity and liveability of a place. Good planning and design outcomes can build connection to place, enhance community cohesion and create a sense of safety. Hobsons Bay is home to diverse neighbourhoods with their own unique character, ranging from the historic seaport of Williamstown, with its range of heritage buildings, to newer residential areas such as Altona Meadows and Seabrook. The changing pattern of land uses and development occurring in the city will be an opportunity to continue to achieve high standards of urban design and architecture both in historic and new urban environments.

Council seeks to:

- Achieve building and urban design outcomes that contribute positively to the local context and enhance the public realm, including in industrial areas.
- Improve the amenity, design, safety and environmental performance of industrial areas.

Signs

Well-designed and located signs can be helpful and informative while adding interest, colour and character to local streetscapes. However, if poorly-designed or intrusive, signs can dominate and detract from the urban environment, particularly in heritage precincts and areas of special character such as the foreshore, gateways and main road locations.

Council seeks to:

- Support signs that are respectful of and complementary to the character and amenity of sensitive areas, including interfaces, and do not detract from the character of a locality, building or site.

Neighbourhood character

Hobsons Bay has a diverse range of neighbourhoods ranging from dense inner urban victorian/edwardian streetscapes, spacious post-war streetscapes, and contemporary and coastal streetscapes each with their own distinct identity and cultural value. However, in order to accommodate the changing needs of the community in relation to housing choice new medium and high density development is needed. To guide residential growth, a preferred character for each of the municipality's main neighbourhood character types has been identified.

Council seeks to:

- Encourage development that respects preferred neighbourhood character.
- Support change and growth while protecting and enhancing local senses of place and identity through built form and design.

Environmentally sustainable development

Council is committed to improve the sustainability of the built environment and encourage best practice in environmentally sustainable design. In this context, best practice can be achieved through a combination of locally available techniques, systems and materials that correspond to the scale of development and site-specific opportunities and constraints. These are applied to minimise the energy and environmental implications of a development over its full life-cycle.

Council seeks to:

- Incorporate environmentally sustainable design elements at the time of planning approval to assist in achieving environmentally sustainable development. This approach seeks to:
  - Improve outcomes that may otherwise be compromised if these matters are only considered as part of a building approval.
  - Reduce difficulties or extra costs associated with retro-fitting the development.

Heritage

Hobsons Bay has played an important role in the economic and social development of Victoria and its unique history is illustrated by a wide variety of heritage places that include buildings, neighbourhood precincts, trees, landscapes and urban forms. The heritage places of Hobsons Bay reflect the key themes that have shaped the development of the city since the establishment of Williamstown in the 1840s as the first port of Melbourne, through the development of Newport and Spotswood during the Federation and Interwar periods associated with the growth of railways and related industries, to the post-war industrial and residential expansion that transformed Altona and Laverton.

Since the mid-nineteenth century, a dominant theme in the development of Hobsons Bay has been the growth of industry. Some of Victoria's most significant industrial heritage is found within the city, particularly in Newport, Spotswood and Altona North. The conservation of industrial heritage places presents specific management issues, as it is often the use of the site that is of primary historical significance. While fabric such as buildings or plant contributes to the significance of industrial heritage places by illustrating development over time, the on-going replacement and upgrading of this fabric is often an integral part of the operation of the use. 'Conservation by use' is an important heritage principle and on this basis, there may be circumstances where it may be appropriate to permit the removal or alteration of fabric if it will facilitate the historic use of a site and ensure its future viability.

The heritage of Hobsons Bay is highly valued by the community for the important role it plays in both:

- Providing historic continuity by enabling the complex layering of the history of Hobsons Bay to be understood and interpreted.
- Enhancing the character and amenity of the city by contributing to the unique identity of each neighbourhood.

Council seeks to:

- Protect places of heritage significance and conserve characteristics that contribute to their individual identity.
- Support the continued viability of industrial heritage places for the uses and processes historically carried out on the site as an essential part of their significance and conservation.

02.03-6 Housing

24/02/2022
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The existing housing stock in Hobsons Bay mainly comprises detached three-bedroom houses. With declining household sizes there is demand for a greater diversity of housing types, particularly one and two bedroom dwellings, across all areas of the municipality. There is also a deficit in the number of three-bedroom apartments that can also cater for larger household sizes.

In order to improve housing diversity and housing choice a more diverse mix of housing is required, marking a significant departure from the historical pattern of development in Hobsons Bay.

Four levels of housing change have been identified to direct new residential development to areas suited to accommodate change and increased housing and ensure other areas are protected from inappropriate levels of development.

- **Substantial Change Areas:** Housing intensification will occur and result in a substantially different scale and intensity of housing compared to other areas. This includes strategic redevelopment areas and locations in and around activity centres and public transport.
- **Moderate Change Areas:** Housing will evolve to three-storeys whilst respecting neighbourhood character. These include locations close to activity centres and where there are opportunities for increased residential development and housing diversity.

- **Incremental Change:** Housing growth will occur within the context of preferred neighbourhood character.
- **Minimal Change:** Housing growth may be limited in areas that are protected because of their special heritage, neighbourhood character or environmental characteristics. This includes potential natural hazards and close proximity to industrial areas.

Council seeks to:

- Direct residential development to locations that have the capacity for change and offer accessibility to public transport, shops, community infrastructure and services.
- Encourage medium and high density residential development within accessible areas, such as walkable catchments to train stations and key activity centres.
- Facilitate the provision of a mix of housing types that better reflect the cross-section of household sizes and the varying needs of the community.
- Encourage the incorporation of universal design principles in housing development to meet the needs of current and future residents.
- Facilitate affordable housing in the overall provision of housing across the municipality to ensure that a range of housing choices is available to the community.

02.03-7 Economic development

24/02/2022
C131hbay

Economic diversity

Commercial land use in Hobsons Bay contributes to local employment and economic activity. Retail businesses in traditional strip shopping and shopping centres are an integral component of the municipality's activity centres. Larger format retailing in the form of bulky good retailing occur within specialised enterprise areas with frontage to arterial roads.

To support the economic restructuring and long-term economic development, Council seeks to:

- Attract diverse and high-value business and investment to Hobsons Bay to support a greater range of local employment opportunities.
- Support development that provides new retail and commercial opportunities while meeting the needs of the community.
- Encourage diversity of businesses in activity centres to minimise vacancy rates and increase overall economic sustainability.

Industry

The municipality has extensive industrial areas, identified in Plan Melbourne as part of the state significant Western Industrial Region. This Region provides sufficient strategically located land for industrial development linked to the Principal Freight Network and transport gateways and allows continual growth in freight, logistics and manufacturing investment. The municipality will continue to attract both large and small scale industries to the area, further enhancing Hobsons Bay's commercial diversity.

Many industries, pipelines and major hazard facilities have the potential for substantial negative off-site impacts that, if not properly managed, can depress the liveability and environmental quality of the municipality. Ensuring these industrial areas and mixed-use precincts are well-maintained and attractive will play a role in attracting modern industries to the municipality.

Council seeks to support the continued operation of industry by:

- Protecting the vital role of the Western Industrial Precinct in attracting and developing industry in the region and encouraging employment growth.
- Attracting and retaining industries that contribute towards a greater diversity of economic activity.

- Guiding the future role and function of each industrial precinct.
- Protecting National and State significant industries from the encroachment of residential and other sensitive uses.
- Supporting industrial development that achieves a positive impact on the visual and environmental amenity of the municipality and mitigates potential of noise, air, water and land pollution associated with industrial land uses.

Tourism

Tourism in Hobsons Bay is an important local economic driver. It contributes towards the prosperity of the city and improves its vibrancy and liveability. The city's tourism profile is diverse and includes a range of retail, hospitality and tourism opportunities and experiences that build on the municipality's cultural, historic and environmental assets.

Council seeks to:

- Encourage tourism activity and employment opportunities that build on local assets and strength as a tourist destination.
- Support tourism development that protects and complements coastal areas, environmental assets and heritage places.

02.03-8 Transport

24/02/2022
C131hbay

At the regional level, the transport system provides convenient, safe and sustainable connections between neighbourhoods and regional destinations that will generate more efficient movement of people and goods, attracting and providing links to jobs, services, industry and recreational activities.

At the local level, the municipality needs an integrated transport system that provides a range of sustainable, efficient, accessible and safe ways for people to link to places in their neighbourhoods while providing convenient connections to activity centres. With increasing freight and traffic movement associated with the expansion of the Port of Melbourne, residential growth and increased tourism activity in the surrounding region, the transport network also needs to balance good road access for competing land uses.

Due to its coastal location and main road boundaries, Hobsons Bay is experiencing congestion at key access points to the metropolitan road network and north-south traffic movement to other parts of the region. With the majority of housing development being constructed outside of walkable catchments to train stations and key activity centres, pressures on the local road network are further amplified. Existing and future housing located in areas that are not within walkable catchments will require improvements to transport options and provision, particularly within Strategic Redevelopment Areas.

Council seeks to:

- Provide an integrated, safe, accessible and efficient network for walking and cycling that encourages active transport over private vehicle usage.
- Support improvements to transport connectivity through additional north - south linkages.
- Support emerging transport modes and technologies that complement existing travel methods.
- Improve local area traffic and car parking management within and around activity centres.
- Improve accessibility to and within activity centres by supporting the development of sustainable transport infrastructure and networks.
- Manage the impacts associated with a growth in freight to protect residential amenity.

02.03-9 Infrastructure

24/02/2022
C131hbay

Community infrastructure

Community infrastructure includes spaces, places, services, programs and activities that are accessed by the community for community support, social interaction, recreation and physical activity.

The provision of quality community infrastructure, including public art and arts and cultural facilities contributes to a more liveable and accessible public realm and to broader social and economic benefits.

With significant population growth and changing community needs, ageing infrastructure needs to be replaced to meet the needs of existing and future residents, businesses and industries, particularly in and around Strategic Redevelopment Areas.

Local community infrastructure of regional significance includes Scienceworks in Spotswood, Seaworks and the Williamstown Hospital in Williamstown, the Substation and the Australian Islamic Centre in Newport. These facilities are important to Hobsons Bay's economic and community wellbeing.

The Western Region is also home to a diverse array of public open spaces and natural environmental areas clustered along the coastline that are of state, national and international significance for biodiversity conservation. However, in context of current access to open space and projected population growth, gaps have been identified in the distribution and quality of open space in the municipality, as shown in Clause 02.04.

Council seeks to:

- Support the provision of a range of community facilities and services that meet the needs of both the existing and future community.
- Support the contribution of arts and culture in creating a more liveable, attractive and accessible City.
- Support the provision of a variety of open spaces for a range of experiences and leisure opportunities that are accessible to all, particularly in areas identified as under-supplied.
- Encourage the provision of a network of open spaces that supports biodiversity and habitat links, while being resource-efficient, sustainable and resilient to climate change.

Development and infrastructure contribution

Urban development requires the provision of infrastructure to ensure future liveability for residents and to minimise potential costs to the community. There is a need to ensure that development infrastructure and open space is provided in a timely manner and in alignment with land use intensification and population growth.

Council seeks to:

- Use development contributions to support the upgrading of existing infrastructure where a capacity shortfall has been identified.
- Integrate new residential neighbourhoods within established areas through the provision of infrastructure.

Integrated water management

A reliable supply of drinking water is a vital resource for community health and maintaining adequate levels of water within natural systems is essential to protecting our valuable urban ecology. Changes in one part of the water cycle impact on another. Planning decisions must therefore consider water resource use to achieve Integrated Water Management.

Council seeks to achieve a greener, healthier and more sustainable municipality by:

- Managing water supplies, wastewater treatment and stormwater runoff in an integrated way while protecting the health of our natural environment.

02.03-10 Gaming

24/02/2022
C131hbay

Though gambling is a legal activity, the use of electronic gaming machine (EGM) can be problematic for some members of the community. Problem gambling comprises of both economic and social costs.

Council seeks to:

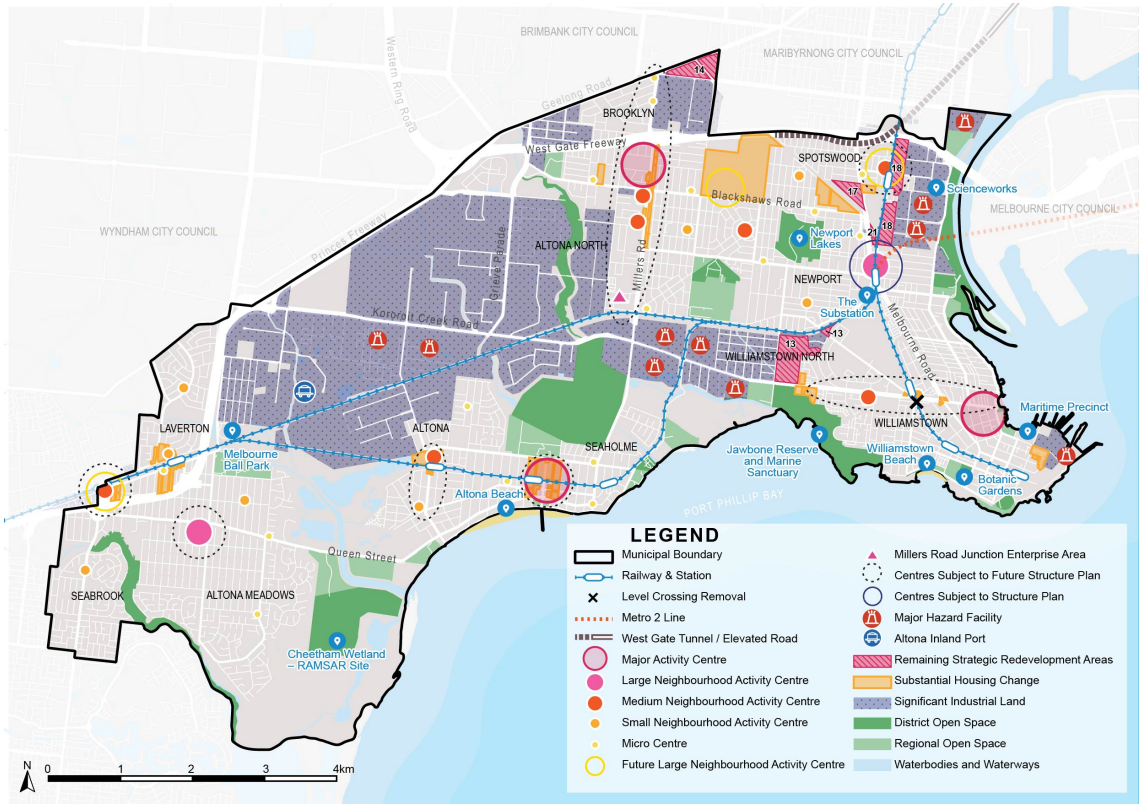
- Provide guidance on the appropriate location, design and operation of EGMs and venues.
- Balance the positive and negative social and economic impacts of gaming in order to maximise benefits for the community.
- Minimise the cumulative impacts from EGMs in identified areas of disadvantage in Hobsons Bay and the western metropolitan region.

02.04 STRATEGIC FRAMEWORK PLANS

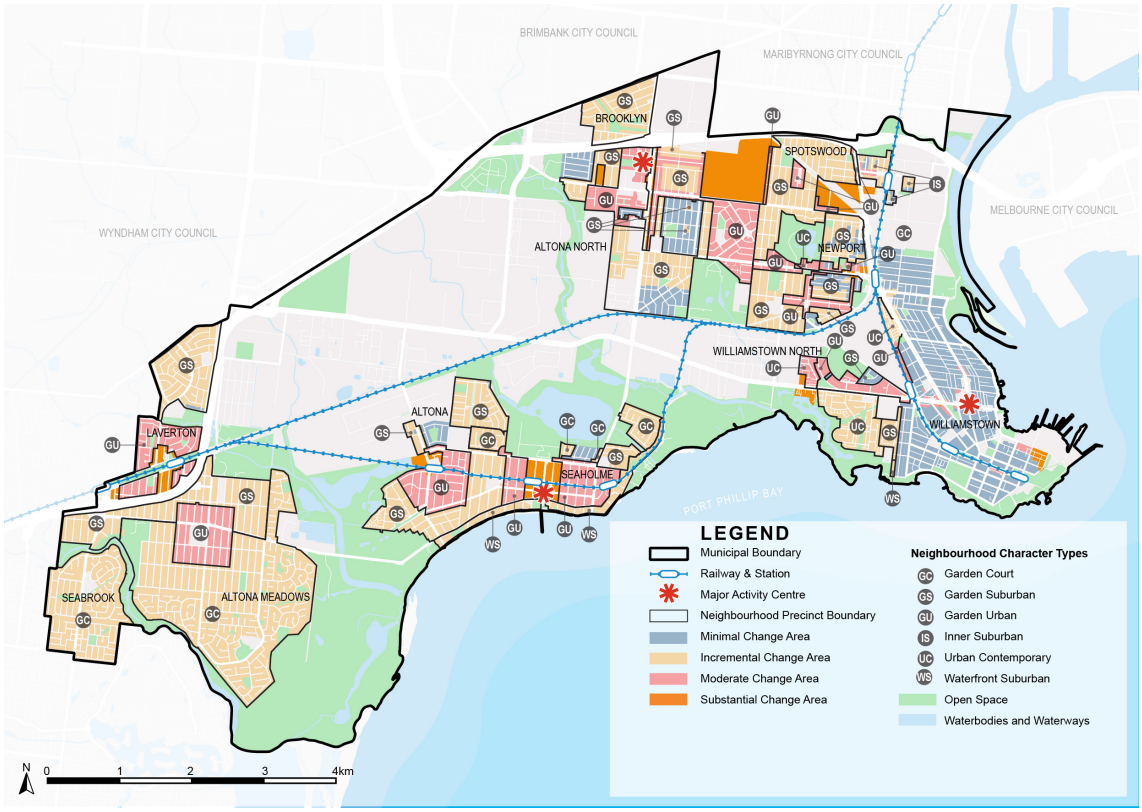
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The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

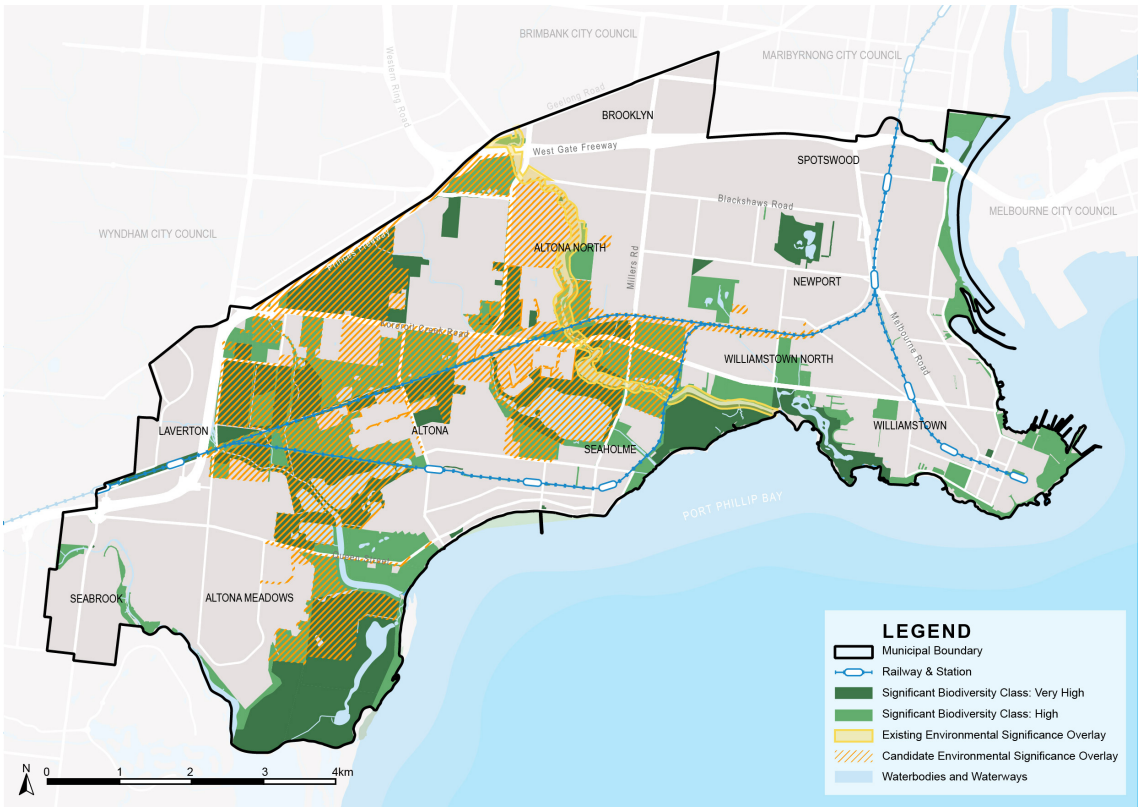
Strategic Framework Plan



Residential Development Framework Plan



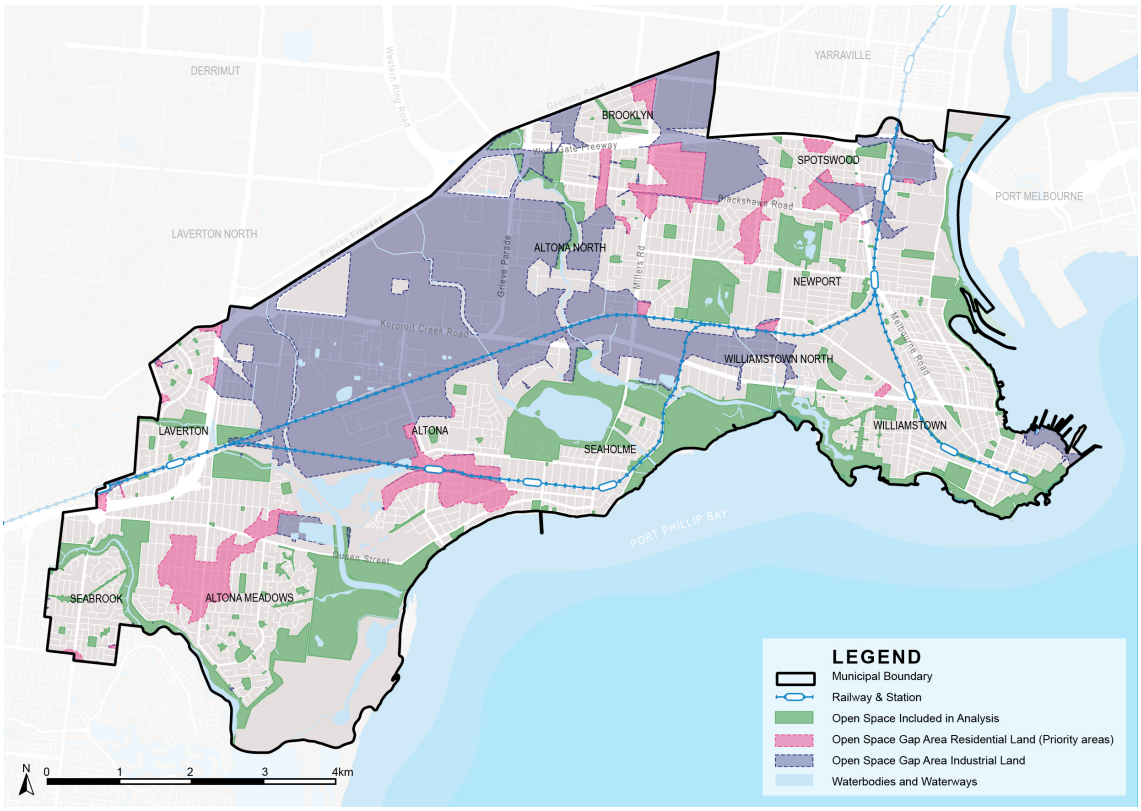
Significant Biodiversity Plan



Integrated Transport Plan



Open Space Plan



10 PLANNING POLICY FRAMEWORK

31/07/2018
VC148

11 SETTLEMENT

02/09/2025
VC283

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

Planning is to contribute towards:

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

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

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

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

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

11.01 VICTORIA

31/07/2018
VC148

11.01-1S Settlement

02/09/2025
VC283

Objective

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

Strategies

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

Develop sustainable communities through a settlement framework that:

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

Focus investment and growth in:

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

Manage the expansion of settlements by:

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

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

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

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

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

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

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

Facilitate environmentally resilient settlements by:

- Integrating the management of water resources into the urban environment in a way that supports water security, public health, environment and amenity outcomes.

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

Policy guidelines

Consider as relevant:

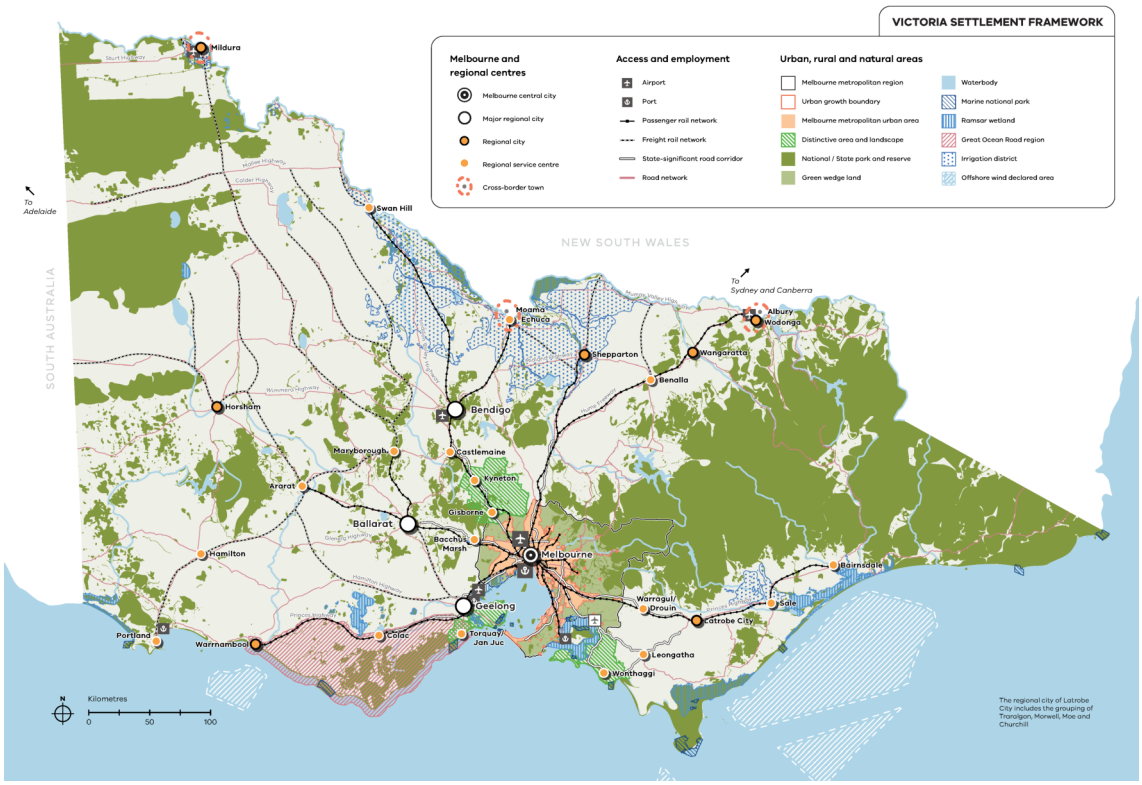
- Any settlement boundary identified in a document incorporated into this planning scheme.

Policy documents

Consider as relevant:

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

Victoria Settlement Framework Plan



11.01-1R Settlement - Metropolitan Melbourne

02/09/2025
VC283

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.

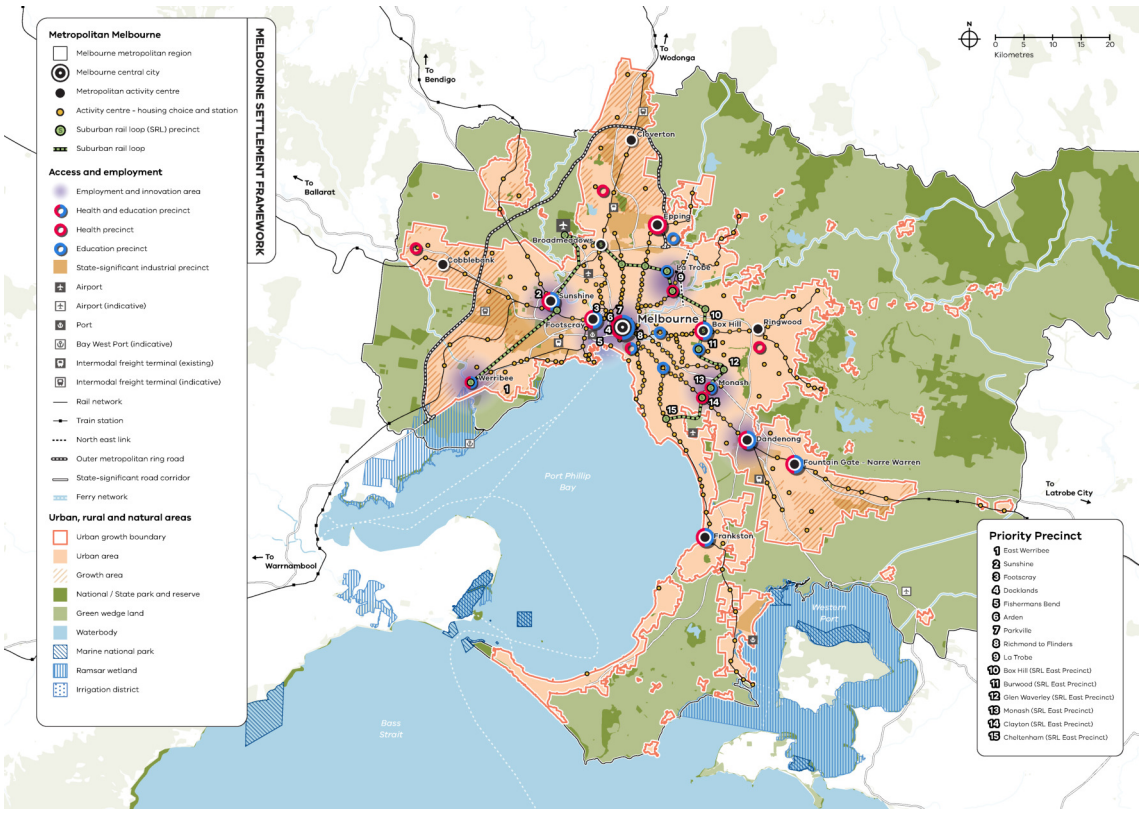
Create mixed use neighbourhoods at varying densities, including through the development of urban-renewal precincts and Activity Centres - Housing Choice and Stations.

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.

Melbourne Settlement Framework Plan



11.01-1R Green wedges - Metropolitan Melbourne

31/07/2018
VC148

Objective

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

Strategies

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

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

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

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

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

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

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

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

Provide opportunities for renewable energy generation.

Policy documents

Consider as relevant:

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

11.02 MANAGING GROWTH

31/07/2018
VC148

11.02-1S Development capacity

02/09/2025
VC283

Objective

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

Strategies

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

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

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

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

Planning for urban growth should consider:

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

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

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

Policy guidelines

Consider as relevant:

- Victorian Government population projections and land supply estimates.

Policy documents

Consider as relevant:

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

11.02-1L Strategic redevelopment areas

24/02/2022
C131hbay

Policy application

This policy applies to land identified as Strategic Redevelopment Areas in the Strategic Framework Plan at Clause 02.04.

Objective

To successfully manage the transition and strategic redevelopment of redundant industrial areas.

Strategies

Protect existing and ongoing viable industries to retain employment generating uses where possible.

Support rezoning and development that will not prejudice the future development of the remainder of the precinct it is located in.

Support development that integrates with its surrounds and incorporates and reflects elements of the municipality's cultural heritage, history and diversity.

Minimise off-site impacts from existing industry by incorporating mitigation measures (including noise attenuation) within developments associated with a new sensitive land use.

Maintain the existing road layout and subdivision pattern and characteristic of the broader neighbourhood.

Support an incremental decrease in the size and scale of development within strategic redevelopment areas so that it responds to the size and scale of existing development at residential interfaces.

Plan for the provision of community infrastructure, open space and other key infrastructure, such as walking and cycling routes with end-of-trip facilities in all strategic redevelopment areas.

Encourage the preparation of an Outline Development Plan or a Master Plan for Strategic Redevelopment Areas that are no longer suitable for industrial uses and are in multiple ownerships so that the Strategic Redevelopment Area as a whole can integrate with its surrounds and address significant interface issues such as built form, land use conflict and connectivity.

Policy documents

Consider as relevant:

- *Hobsons Bay Industrial Land Management Strategy* (The City of Hobsons Bay, 2008)

11.02-2S Structure planning

02/09/2025
VC283

Objective

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

Strategies

Give clear direction on preferred locations for investment.

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

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

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

- Address the strategic and physical context of the location, including increased physical risks associated with climate change.
- Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.
- Deliver sufficient development capacity for residential development to ensure housing targets can be met.
- Deliver sufficient development capacity for industrial and commercial development to ensure an appropriate supply of land to meet local demand.

Structure plans should:

- Protect and enhance areas of natural and cultural significance.
- Address environmental risk and amenity.
- Support the effective management of natural resources.
- Deliver a quality built environment.
- Support the delivery of a diverse range of lot sizes and housing typologies.
- Deliver housing and population densities that make local services and transport viable.
- Support economic development.
- Facilitate the development of walkable neighbourhoods.
- Facilitate the use of active and sustainable transport modes.
- Facilitate the logical and efficient provision of infrastructure.
- Facilitate the use of existing infrastructure and services.
- Encourage renewable energy generation, storage and distribution.
- Incorporate integrated water management and urban greening.

Policy document

Consider as relevant:

- *Precinct Structure Planning Guidelines: New Communities in Victoria* (Victorian Planning Authority, 2021).

11.02-3S Sequencing of development

02/09/2025
VC283

Objective

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

Strategies

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

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

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

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

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

Support opportunities to co-locate facilities.

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

Policy documents

Consider as relevant:

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

11.03 PLANNING FOR PLACES

31/07/2018
VC148

11.03-1S Activity centres and precincts

16/04/2026
VC300

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 Activity centres and precincts - Metropolitan Melbourne

02/09/2025
VC283

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 Activity centres

11/02/2026
C133hbay

General strategies

Facilitate the development of the Newport Large Neighbourhood Activity Centre as an art and cultural tourist precinct.

Support the location of community and health facilities within the Central Square Neighbourhood Activity Centre to expand the range of available services.

Support the transition of Central Square, Altona Meadows from a Large Neighbourhood Activity Centre to a Major Activity Centre.

Facilitate the growth of Spotswood Medium Neighbourhood Activity Centre to a Large Neighbourhood Activity Centre.

Support a supermarket-based new Large Neighbourhood Activity Centre and mixed-use commercial area within Altona North.

Support the transition of the Aviation Road Medium Neighbourhood Activity Centre to a Large Neighbourhood Activity Centre if the remainder of the Royal Australian Air Force base is developed for residential purposes.

Support ongoing development of the Millers Junction Enterprise Area as a bulky goods precinct on land fronting Millers Road.

Residential strategies

Support higher density residential development within activity centres to facilitate viability of retail and commercial areas.

Support residential use and development above commercial premises in activity centres to promote walkability and facilitate easy access to employment, services and facilities.

Commercial development strategies

Encourage the consolidation of small and underutilised sites to enable their redevelopment and intensification.

Enhance tourism opportunities within and around activity centres.

Discourage the rezoning of commercial zoned land in micro-centres to prevent their fragmentation and the loss of opportunities to provide basic goods and services within a comfortable walking distance.

Support ongoing marine activities, including small boat building and recreational boating, within and in proximity to the Williamstown Major Activity Centre.

Reduce the number of electronic gaming machines located in activity centres.

Design and amenity strategies

Support an incremental decrease in the size and scale of development within activity centres so that it responds to the size and scale of existing development at residential interfaces.

Reinforce the identity and distinctiveness of each activity centre through urban design, public realm improvements and the use of public art.

Support commercial development within activity centres and strip shopping centres that reinforce the traditional building typology of shops within the immediate context.

Support high-quality mixed-use development outcomes that respect heritage values and are sensitive to the surrounding built-form and neighbourhood character context.

Support commercial activity that will increase opportunities for social interaction, recreation and enjoyment of the arts.

Ensure active frontages adjacent to footpaths and open spaces in core retail areas, including by avoiding the use of security screening that obstruct shopfronts and shop windows.

Design development to optimise views over the foreshore, public open space and public realm.

Create strong visual linkages and physical connections to the foreshore, Port Phillip Bay and the regional open space network.

Movement strategies

Encourage active transport to and within activity centres by providing accessible walking and cycling networks.

Newport Large Neighbourhood Activity Centre

Policy application

This policy applies to land in the Newport Structure Plan area, as shown on the Newport Large Neighbourhood Activity Centre Plan.

Newport Large Neighbourhood Activity Centre Plan



Strategies

Encourage new development to utilise existing laneways to access car parking and waste storage areas.

Support building design that enables the use of rear laneways to facilitate vehicle access and loading.

Encourage development and streetscape improvements that support distinct entry points to the activity centre at:

- The intersection of Melbourne Road and Newcastle Street
- The intersection of Mason Street and Schutt Street
- The corner of Hall Street and Grindlay Street, and the corner of Hall Street and Elphin Street
- The intersection of Melbourne Road and Wilkins Street

Encourage fine grain, active ground level street frontages for sites on the north side of Mason Street east of Schutt Street, and on the south side of Mason Street east of Durkin Street and along the interface with Paine Reserve.

Where new uses occupy multiple lots in the area on Hall Street between Grindlay Street and Elphin Street, encourage design of street level frontages to utilise windows and entrances with a regular rhythm that responds to the fine grain subdivision pattern.

Policy guidelines

Consider as relevant:

- Providing walking and cycling networks within 400 metres of all Major and Neighbourhood Activity Centres (Small, Medium and Large) and 800 metres of train stations.

Policy documents

Consider as relevant:

- *Activity Centre Strategy 2019-36* (Hobsons Bay City Council, July 2019)
- *Laverton Together Urban Design Framework* (Hansen Partnership, April 2006)
- *Newport Structure Plan* (Hobsons Bay City Council, November 2021)
- *Inner Newport Heritage Gap Study* (Hobsons Bay City Council and Lovell Chen 2022)

11.03-2S Growth areas

02/09/2025
VC283

Objective

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

Strategies

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

Implement the strategic directions in the growth corridor plans.

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

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

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

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

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

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

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

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

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

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

Develop and implement plans for growth areas that will:

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

Develop precinct structure plans consistent with the *Precinct Structure Planning Guidelines: New Communities in Victoria* (Victorian Planning Authority, 2021) to:

- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.
- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.
- Deliver 30 per cent tree canopy cover within the public realm and in open spaces (excluding areas dedicated to biodiversity or native vegetation conservation).

Policy documents

Consider as relevant:

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

11.03-3S Peri-urban areas

02/09/2025
VC283

Objective

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

Strategies

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

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

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

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

Improve connections to regional and metropolitan transport services.

11.03-4S Coastal settlement

02/09/2025
VC283

Objective

To plan for sustainable coastal development.

Strategies

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

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

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

Protect areas between settlements for non-urban use.

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

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

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

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

Prevent the development of new residential canal estates.

Policy documents

Consider as relevant:

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

11.03-5S Distinctive areas and landscapes

13/02/2026
VC245

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)

11.03-6S Regional and local places

31/07/2018
VC148

Objective

To facilitate integrated place-based planning.

Strategies

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

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

12 ENVIRONMENTAL AND LANDSCAPE VALUES

10/06/2022
VC216

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

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

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

12.01 BIODIVERSITY

31/07/2018
VC148

12.01-1S Protection of biodiversity

30/10/2025
VC291

Objective

To protect and enhance Victoria's biodiversity.

Strategies

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

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

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

- *Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the Catchment and Land Protection Act 1994)*
- *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013)
- *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025)
- *Protecting Victoria's Environment – Biodiversity 2037* (Department of Environment, Land, Water and Planning, 2017)
- *Victorian Waterway Management Strategy* (Department of Environment and Primary Industries, 2013)

12.01-1L Protection of biodiversity

24/02/2022
C131hbay

Strategies

Create and protect biolinks between areas of identified biodiversity value as identified in the Significant Biodiversity Plan at Clause 02.04.

Support the revegetation of watercourses using indigenous species that will enhance and protect locally significant biodiversity.

Policy document

Consider as relevant:

- *Biodiversity Strategy 2017–22* (Hobsons Bay City Council, February 2017)

12.01-2S Native vegetation management

04/02/2026
VC265

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 MARINE AND COASTAL ENVIRONMENT

06/09/2021
VC171

12.02-1S Protection of the marine and coastal environment

20/03/2023
VC229

Objective

To protect and enhance the marine and coastal environment.

Strategies

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

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

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

Avoid disturbance of coastal acid sulfate soils.

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

12.02-1L Protection of coastal areas

24/02/2022
C131hbay

Strategies

Support appropriate public access and use of coastal areas in accordance with their environmental values, for instance by limiting access in areas of high ecological and biodiversity value.

Use indigenous species in preference to introduced species in revegetation programs.

Protect views to the water and city from the public realm.

12.02-2S Marine and coastal Crown land

20/03/2023
VC229

Objective

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

Strategies

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

12.03 WATER BODIES AND WETLANDS

31/07/2018
VC148

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

20/01/2026
VC278

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:

- 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).

12.03-1R Birrarung (Yarra River)

14/04/2025
VC281

Objective

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

Biodiversity, cultural and water strategies

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

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

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

Access and movement strategies

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

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

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

Parkland strategies

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

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

Development strategies

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

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

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

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

Key views strategy

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

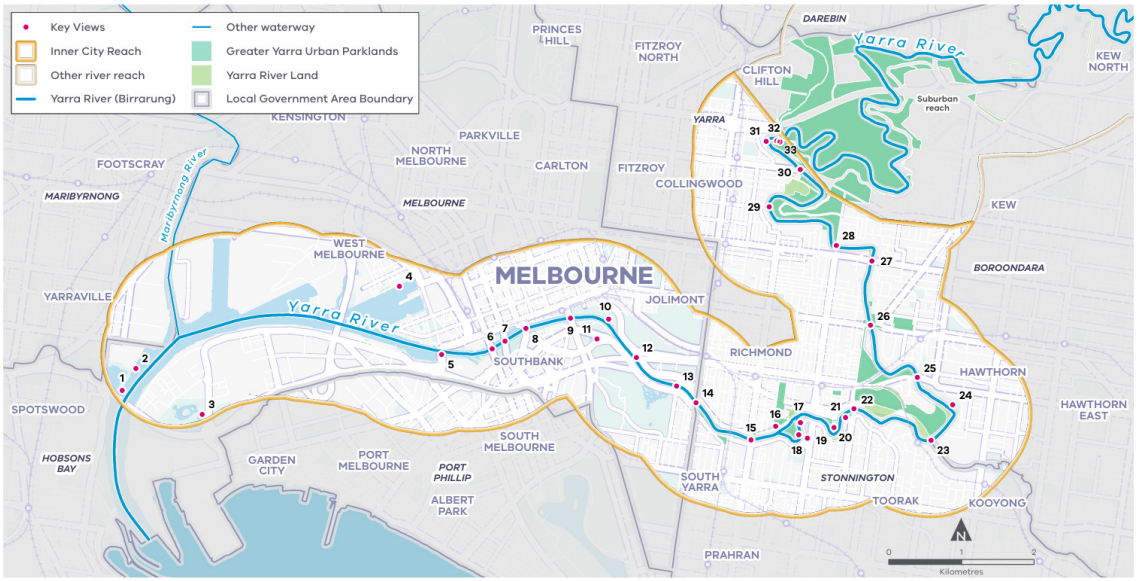
Table 1 - Key views from and to the Birrarung (Yarra River) Corridor

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

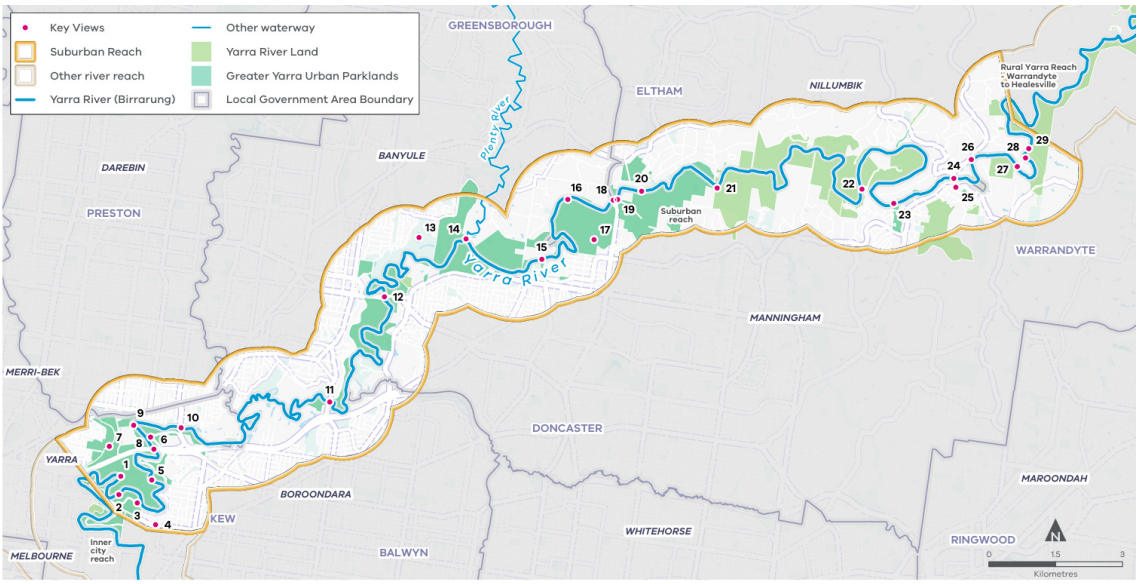
Map and reference number	Name of key view
Map 1 - 27	Victoria Bridge, Victoria Street and Bakers Road
Map 1 - 28	Dickinsons Reserve-Walmer Street wetland foot bridge, Andrews Reserve Trail
Map 1 - 29	Collins Bridge, Gipps Street
Map 1 - 30	Johnston Street Bridge, Abbotsford
Map 1 - 31	'Wominjeka wall',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

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

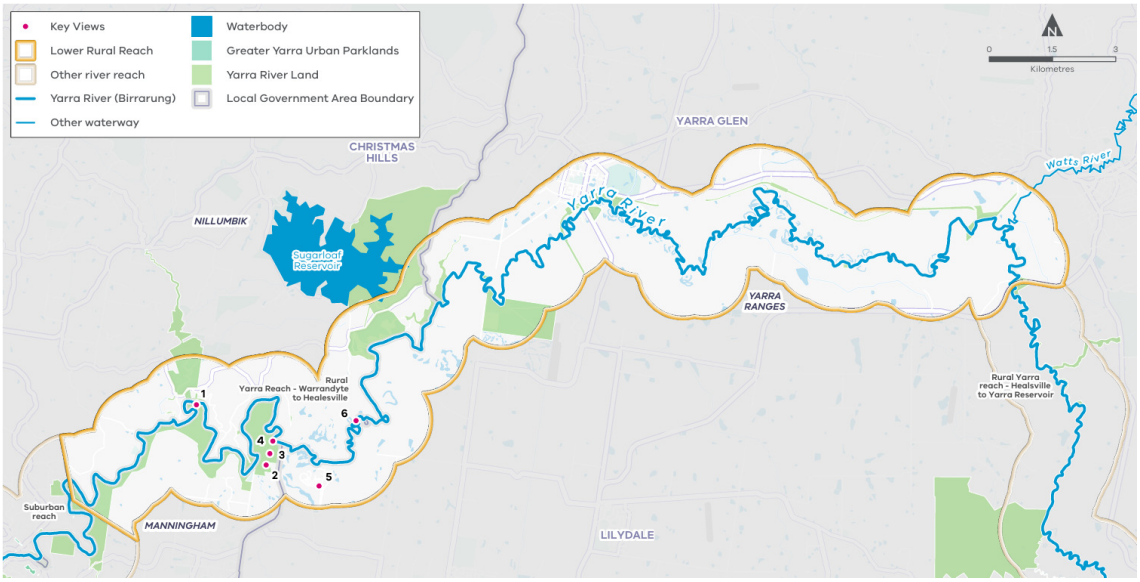
Map 1 Birrarung (Yarra River) - Inner City Reach



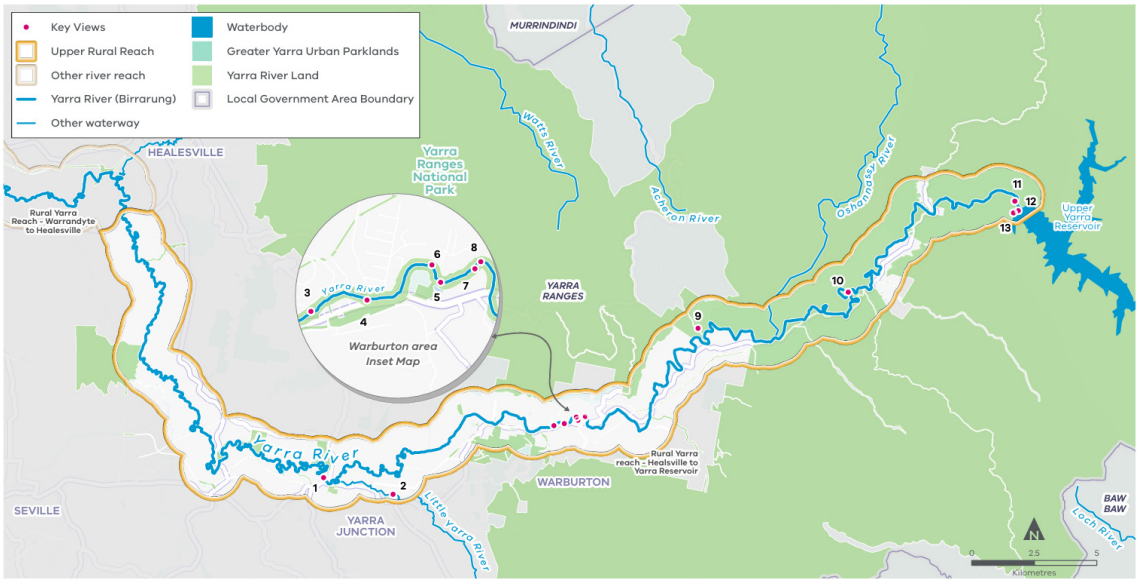
Map 2 Birrarung (Yarra River) - Suburban Reach



Map 3 Birrarung (Yarra River) - Lower Rural Reach



Map 4 Birrarung (Yarra River) - Upper Rural Reach



12.03-1R Waterways of the West

16/12/2022
VC201

Objective

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

Strategies

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

- The Jacana Valley Parklands and the Trin Warren Tam-boore wetlands within the Moonee Ponds Creek.
- Newell's Paddock wetlands and Organ Pipes National Park within the Maribyrnong River corridor.

- Werribee Blue Box grassy woodlands, Cobbledicks Ford Reserve and Werribee Gorge State Park.
- The platypus and Growling Grass Frog habitats along the Werribee River corridor.
- Plains Grassland, Creekline Grassy Woodland and River Red Gum along the Little River.
- Smaller waterways such as Lollypop, Skeleton and Cherry creeks and Cunningham's and Edgar Road swamps.
- Coastal reserves and wetlands such as Cheetham Wetlands and Jawbone Coastal Reserve.

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

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

Promote a sense of place and landscape identity by:

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

Policy documents

Consider as relevant:

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

12.04 ALPINE AREAS

31/07/2018
VC148

12.04-1S Sustainable development in alpine areas

20/03/2023
VC229

Objective

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

Strategies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

12.05 SIGNIFICANT ENVIRONMENTS AND LANDSCAPES

31/07/2018
VC148

12.05-1S Environmentally sensitive areas

31/07/2018
VC148

Objective

To protect and conserve environmentally sensitive areas.

Strategies

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

12.05-2S Landscapes

31/07/2018
VC148

Objective

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

Strategies

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

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

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

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

Ensure important natural features are protected and enhanced.

12.06 SUSTAINABLE ENVIRONMENT

02/09/2025
VC283

12.06-1S Urban forests

02/09/2025
VC283

Objective

To protect and enhance tree canopy in urban areas.

Strategies

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

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

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

Policy documents

Consider as relevant:

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

13 ENVIRONMENTAL RISKS AND AMENITY

01/07/2021
VC203

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

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

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

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

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

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

13.01 CLIMATE CHANGE IMPACTS

31/07/2018
VC148

13.01-1S Natural hazards and climate change

05/09/2025
VC268

Objective

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

Strategies

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

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

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.01-2S Coastal inundation and erosion

05/09/2025
VC268

Objective

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

Strategies

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.01-3S Urban heat

02/09/2025
VC283

Objectives

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

Strategies

Support development that contributes to cooler urban environments.

Support cooling design responses in urban areas through the:

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

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

Policy documents

Consider as relevant:

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

13.02 BUSHFIRE

31/07/2018
VC148

13.02-1S Bushfire planning

16/06/2026
VC312

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:

- 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 FLOODPLAINS

31/07/2018
VC148

13.03-1S Floodplain management

20/03/2023
VC229

Objective

To assist the protection of:

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

Strategies

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.03-1L Floodpain management

24/02/2022
C131hbay

Strategies

Design development in or close to flood prone areas to not obstruct floodwater and minimise risks to life and property.

Avoid raised earthworks that may obstruct or redistribute floodwater and increase flow velocities or floodwater levels.

Policy document

Consider as relevant:

- *Climate Change Adaptation Plan 2013-18* (Hobsons Bay City Council, 2013)

13.04 SOIL DEGRADATION

31/07/2018
VC148

13.04-1S Contaminated and potentially contaminated land

04/05/2022
VC210

Objective

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

Strategies

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

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

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

Policy guideline

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

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

Policy documents

Consider as relevant:

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

13.04-2S Erosion and landslip

31/07/2018
VC148

Objective

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

Strategies

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

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

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

Policy guidelines

Consider as relevant:

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

13.04-3S Salinity

31/07/2018
VC148

Objective

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

Strategies

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

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

Prevent inappropriate development in areas affected by groundwater salinity.

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.05 NOISE

31/07/2018
VC148

13.05-1S Noise management

10/06/2022
VC216

Objective

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

Strategy

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

13.06 AIR QUALITY

31/07/2018
VC148

13.06-1S Air quality management

14/01/2025
VC237

Objective

To assist the protection and improvement of air quality.

Strategies

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

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

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

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

Policy documents

Consider as relevant:

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

13.07 AMENITY, HUMAN HEALTH AND SAFETY

26/05/2020
VC175

13.07-1S Land use compatibility

14/01/2025
VC237

Objective

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

Strategies

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

Policy documents

Consider as relevant:

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

13.07-2S Major hazard facilities

26/10/2018
VC152

Objective

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

Strategies

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

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

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

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

13.07-3S Live music

01/07/2025
VC286

Objective

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

Strategies

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

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

Policy guidelines

Consider as relevant:

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

14 NATURAL RESOURCE MANAGEMENT

31/07/2018
VC148

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

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

14.01 AGRICULTURE

31/07/2018
VC148

14.01-1S Protection of agricultural land

20/03/2023
VC229

Objective

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

Strategies

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

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

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

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

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

Prevent inappropriately dispersed urban activities in rural areas.

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

Limit new housing development in rural areas by:

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

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

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

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

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

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

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

14.01-1R Protection of agricultural land - Metropolitan Melbourne

31/07/2018
VC148

Strategy

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

14.01-2S Sustainable agricultural land use

21/09/2018
VC150

Objective

To encourage sustainable agricultural land use.

Strategies

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

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

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

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

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

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

Facilitate ongoing productivity and investment in high value agriculture.

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

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

Policy documents

Consider as relevant:

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

14.01-3S Forestry and timber production

20/03/2023
VC229

Objective

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

Strategies

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

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

Ensure protection of water quality and soil.

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

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

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

Policy documents

Consider as relevant:

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

14.02 WATER

31/07/2018
VC148

14.02-1S Catchment planning and management

28/04/2026
VC232

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)

- *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 Water quality

22/11/2024
VC263

Objective

To protect water quality.

Strategies

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

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

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

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

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

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

Policy documents

Consider as relevant:

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

14.02-3S Protection of declared irrigation districts

04/02/2026
VC265

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)

14.03 EARTH AND ENERGY RESOURCES

31/07/2018
VC148

14.03-1S Resource exploration and extraction

18/09/2026
VC313

Objective

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

Strategies

Provide for the long-term protection of earth and energy resources in Victoria.

Protect the opportunity for exploration and extraction of earth and energy resources where this is consistent with overall planning considerations and acceptable environmental and rehabilitation outcomes.

Support the provision of infrastructure, including transport, for the exploration and extraction of earth and energy resources.

Develop and maintain buffers around mining and extractive industry.

Define clear buffer areas suitable to the nature of the proposed extractive industry.

Identify and protect extractive industry and extractive resources within Strategic Extractive Resource Areas and Extractive Industry Interest Areas, based on existing or potential future contribution to state supply.

Facilitate the use and development of extractive industry and other compatible land uses within Strategic Extractive Resource Areas and Extractive Industry Interest Areas.

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) (1987) and the *Land Over Coal and Buffer Area Study* (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.

Policy guidelines

Consider as relevant:

- Determining buffer areas between extractive industry and sensitive land uses based on the following matters:
  - The use of practical and available technology to minimise effects on sensitive land uses.
  - The impact of a change of land use proposed near an extractive industry.
  - Use of land within the buffer areas is not limited by adverse effects created by the extractive industry.
  - Performance standards identified under the relevant legislation.
  - Whether land within the buffer areas is within a public land zone.

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)

15 BUILT ENVIRONMENT AND HERITAGE

02/09/2025
VC283

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

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

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

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

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

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

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

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

Planning should facilitate development that:

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

15.01 BUILT ENVIRONMENT

31/07/2018
VC148

15.01-1S Urban design

02/09/2025
VC283

Objective

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

Strategies

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

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

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

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

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

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

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

Promote good urban design along and abutting transport corridors.

Policy documents

Consider as relevant:

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

15.01-1R Urban design - Metropolitan Melbourne

31/07/2018
VC148

Objective

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

Strategies

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

Integrate place making practices into road space management.

Strengthen Melbourne's network of boulevards.

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

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

15.01-1L-01 Design in substantial change areas

24/02/2022
C131hbay

Policy application

This policy applies to the development of land in a Residential Growth Zone and Mixed Use Zone within the Substantial Change Areas shown on the Residential Development Framework Plan at Clause 02.04

Objectives

To encourage housing intensification in substantial change areas that delivers design outcomes that contribute positively to the local context while allowing for greater housing change.

Strategies

Support development that is substantially different in scale and intensity compared to housing in the established area, such as apartment buildings rather than lower scale building forms.

Maintain the openness of streetscapes and the visual connection between buildings and the street.

Minimise the dominance of car parking facilities, driveways and crossovers.

Support buildings that provide an articulated and visually varied façade with habitable rooms at the front of buildings.

Protect the amenity of adjacent Moderate, Incremental or Minimal change areas through the use of:

- Sufficient setbacks to minimise visual intrusion, particularly at upper levels.
- Building design techniques rather than relying solely on screening to minimise overlooking.
- A transition in built form by stepping down heights.
- Landscaping, including canopy trees where possible, to soften views of the interface between different change areas.

Provide a transition to adjoining properties by stepping down building heights to sensitive interfaces.

Design built form to allow for avenue street tree planting, where practicable.

Support subdivision and site layout that retains large, established trees and provides for the planting of new trees to minimise visual bulk.

Retain space in front setbacks for planting and design these areas to:

- Include landscaping along side boundaries and driveways.
- Accommodate canopy trees.

Design developments to allow vegetation to reach maturity and to be maintained without threatening buildings, services, access and infrastructure in the longer term.

Minimise paving and other hard surfaces in front garden areas, including driveways and crossovers.

Provide vehicular access from a rear laneway or rear access driveway where available and minimise the number of vehicular crossovers

Policy documents

Consider as relevant:

- *Neighbourhood Character Study* (Hobsons Bay City Council, 2019)
- *Activity Centres Strategy* (Hobsons Bay City Council, 2019)
- *Housing Strategy* (Hobsons Bay City Council, 2019)
- *Urban Forest Strategy* (Hobsons Bay City Council, 2020)

15.01-1L-02 Landscape design and canopy tree cover

24/02/2022
C131hbay

Strategies

Increase landscape canopy cover to mitigate climate change and enhance the visual appearance and amenity of front setbacks, carparks and other elements that interface with the public realm.

Provide landscaping that:

- Enhances the appearance of key focal points, such as gateways, major boulevards, creeks, open spaces and nature conservation areas.
- Introduces a wider range of species, particularly trees to promote climate, pest and disease resilience.
- Uses indigenous vegetation in natural areas.
- Minimises the need for watering and maintenance
- Integrates with all existing planting.

Support the use of species that provide shade in summer and natural light to the built form in winter.

Support locating all service infrastructure underground to maximise the opportunity to retain and plant canopy trees.

15.01-1L-03 Signs

24/02/2022
C131hbay

Objectives

To ensure signs do not visually dominate a particular locality, building or site nor detract from its character.

To ensure signs respect and respond to the character and amenity of sensitive areas.

To ensure signs improve and add interest to the quality of the streetscape.

To ensure that signs effectively identify the business or activity that they are intended to promote.

General strategies

Avoid visual advertising clutter by improving the legibility of signage and supporting the use of fewer, more effective signs.

Encourage multiple occupancies to share or co-locate signage.

Where more than one business sign is proposed, plan and design signs as part of a comprehensive scheme to ensure all signs are consistent and complementary with each other in size, location, materiality, style and colour.

Design and scale signs not to visually dominate the building to which they are fixed nor the property in which they are located.

Design and locate signs as to not obscure architectural form and features, windows and door openings or verandahs, particularly on buildings of identified heritage significance.

In new developments, design signs as part of the architecture of the building or the landscaping of the site.

Design and locate signs to complement the period and style of the building to which they are fixed, including through materiality, fonts and paint colours.

Design signs to be only large enough for effective identification of the business or promotions of goods, services, event or other matter it relates to.

Design signs to not project above the skyline or roofline of a building.

Directly paint or fix above-verandah signs to parapet structures and do not extend the sign above the parapet.

Locate signs designed to project out from a building below the upper wall or parapet level, rather than above.

Ensure signs displayed on shop windows:

- Do not obscure views into the premises.
- Are restricted to the main windows at ground level.
- Are not painted on the external surface of the glass.

Support creative signage (such as a sculpture) only when it:

- Relates to historical, cultural or architectural themes found in the locality.
- Presents a unique design with potential to become a local icon.
- Recreates a well-known historic sign.
- Helps to reinforce or establish the theme or character of a particular neighbourhood or locality.

Avoid the use of bunting, flags, banners and V-signs.

Avoid promotion signs mounted on trailers, utility vehicles or alternative vehicular or mobile structures that are parked in one location for an extended period of time (longer than 24 hours) for the purpose of advertising.

Avoid mobile animated signs used in association with a promotional purpose.

Category 3 - High amenity areas strategies

Promotion signs

Discourage the use of promotion signs.

Home based business and bed and breakfast signs

Discourage above-verandah signs.

Discourage signs that are internally illuminated or floodlit, especially if proposed to be lit outside the hours of operation of the business or activity advertised in the sign.

Support the use of floodlit signs for home based businesses only if the following apply:

- It is required for the operation of the occupation.
- The intensity of lighting is the minimum required to make the signs visible.
- The illumination does not disturb the amenity of the areas.

Where lighting is required for a sign, support the use of floodlit signs rather than internally illuminated signs.

Signs located within a Heritage Overlay strategies

Design signs to complement signs on adjoining buildings.

Locate signs on parts of the building that would have traditionally been used as advertising areas, such as around verandahs and below the roof edge.

Adapt signs to suit their individual location and minimise any impact on heritage areas, including for businesses that require specific colours and designs for their identification such as banks, fast food outlets and service stations.

Support the conservation of historic signs including permanent letters cut into stone or in raised cement render, painted signs and sign panels.

Support signs that can be removed without causing damage to the historic fabric of the place.

Support the repainting or restoration of historic signs only if the significance of the sign will not be affected.

Avoid painting signs in fluorescent or iridescent paint.

Signs in Activity Centres strategies

General

Avoid locating signs on walls facing residential properties unless these walls contain display windows or a customer entrance to the premises it relates to.

Locate signs along major access roads rather than along side streets for freestanding shopping centres.

Avoid locating signs above verandahs unless they are attached to the parapet.

Williamstown Shopping Centre and Newport Shopping Centre

Encourage the reinstatement of original facades.

Avoid locating signs on an upper level facade, especially if the original façade has been preserved and risks to be significantly altered by signage.

Altona Beach Shopping Centre

Encourage signs to reflect a seaside theme.

Industrial areas strategies

Contain signs within the property boundary.

Discourage the use of moveable signs.

Plan and design signs at the time of subdivision as part of a thematic treatment of signage to ensure it integrates into the streetscape.

Include signs displaying the name of new industrials estate at entrance points.

Policy guidelines

Consider as relevant:

General

- Using no more than 20 per cent of the glass in signs within or mounted on a window.

Category 3 - High amenity areas

- Limiting home based business and bed and breakfast signage to one sign per premise or one per street boundary.
- Limiting medical and veterinary centre signage to one sign close to each street boundary and one sign identifying the name of the practitioners adjacent to the entrance.

Signs located within a Heritage Overlay

- Limiting the number of signs located above verandahs (or if no verandah more than 3.7 metres above pavement level) to one per premises.
- In the Nelson Place Historic Restaurant and Entertainment Precinct, orienting rectangular signs vertically rather than horizontally.

Activity centres

- Limiting the number of signs that are located below verandahs, painted, floodlit or internally illuminated to one per premises.
- In freestanding shopping centres, limiting the number of pole signs to one per centre.
- Limiting the display area of a sign to 6 square metres where displayed parallel to the front of the building and 3 square metres where displayed at a right angle to the front of the building.
- In the Williamstown Shopping Centre and Newport Shopping Centre, orienting rectangular signs vertically rather than horizontally.

Industrial areas

- Limiting business identification to one illuminated pole or monument sign adjacent to the frontage per premises.
- Avoiding the use of signs with a display area exceeding 15 percent of the area of the wall it is to be attached to.
- Avoiding signs on buildings facing residential areas that exceed 10 percent of the wall area facing the residential areas.
- Avoiding the total area of all signs exceeding 20 square metres per premises.

Policy documents

Consider as relevant:

- *Hobsons Bay Advertising Signs Guidelines* (Hobsons Bay City Council, 1999)
- *Lettering and Signs on Buildings c1850-1900* (National Trust of Australia, 1984)

15.01-2S Building design

16/04/2026
VC300

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 Building design

24/02/2022
C131hbay

Strategy

Design and site development to visually complement the surrounding coastal landscape.

Design development adjacent to open space and along watercourses to:

- Address the waterway or open space.
- Be sympathetic and subordinate to the natural, visual and environmental landscape character of the area.
- Protect and enhance the environmental assets of the area.

Design development abutting a laneway or public parkland to provide for passive surveillance of these public spaces including through:

- Habitable rooms and balconies with an outlook onto these spaces
- Low, permeable or transparent fencing, particularly in areas where this already occurs.

Where a property interfaces with railway lines and freeways, use the design, siting and massing of a development to help attenuate noise and minimise the visual impact of the railway / freeway on the development.

15.01-2L-02 Residential development design

24/02/2022
C131hbay

Strategies

Encourage development to exceed minimum compliance with the requirements of Clauses 54, 55 and 58 to ensure the protection and enhancement of residential amenity.

Support innovation and creativity in the design and planning of medium and high density residential development.

Minimise the loss of front garden space by avoiding the creation of additional vehicular crossings and require vehicle access from adjacent laneways if available.

Discourage basement garages where they lead to the loss of effective landscaping or has the effect of increasing the height of buildings, particularly in coastal areas.

Minimise the effects of development on street trees and nature strips including the reinstatement of footpaths, kerbs and channels, and the use of underground power and telecommunication lines.

15.01-2L-03 Industrial building design

24/02/2022
C131hbay

Policy application

This policy applies to all land in the Industrial 1 Zone, Industrial 3 Zone, Mixed Use Zone and Special use Zone Schedules.

Objective

To improve the amenity, design, safety and environmental performance of industrial areas.

Strategies

Design developments (including through materiality, mass, site orientation and landscaping) to enhance the character and visual amenity of the area, reduce energy use and optimise natural ventilation, daylight and solar access.

Design and operate industries sharing an interface with residential areas to preserve the amenity of existing residential areas and mitigate any potential negative amenity impacts.

Support industrial development that implements clean production techniques, water reuse programs and energy efficient designs.

Ensure all external storage of goods and materials, refuse collection areas and garbage skips are fully screened from public view.

Provide quality landscaping design within industrial areas, particularly within frontage and side setbacks to the street, in outdoor car parking areas and where appropriate, along rear and side boundaries.

Integrate landscaping buffers within industrial development adjoining public open spaces and watercourses to ensure the environmental assets of the area are protected and enhanced.

Policy documents

Consider as relevant:

- *Hobsons Bay Industrial Land Management Strategy* (Hobsons Bay City Council, June 2008)
- *Hobsons Bay Industrial Development Design Guidelines* (Hobsons Bay City Council, June 2008)

15.01-2L-04 Environmentally sustainable development

10/06/2022
VC216

Policy application

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

Objective

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

Strategies

Facilitate development that minimises environmental impacts.

Encourage environmentally sustainable development that:

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

Energy performance

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

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

Integrated water management

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

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

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

Indoor environment quality

Achieve a healthy indoor environment quality, including thermal comfort and access to fresh air and daylight, prioritising 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 development.

Encourage use of durable and reuseable 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 50 square metres and 1000 square metres.

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

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

Non-residential

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

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

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 Environment Sustainability Scorecard 'BESS'* (Council Alliance for a Sustainable Built Environment 'CASBE', 2015)
- *Green Star* (Green Building Council of Australia)
- *Model for Urban Stormwater Improvement Conceptualisation 'MUSIC'* (Melbourne Water)

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

Commencement

This policy does not apply to applications received by the responsible authority before 18/10/2018**.**

Expiry

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

15.01-3S Subdivision design

01/01/2024
VC250

Objective

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

Strategies

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

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

Policy documents

Consider as relevant:

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

15.01-3L Subdivision design

24/02/2022
C131hbay

Strategies

Provide a continuous network of bicycle paths and pedestrian facilities within new residential subdivisions that connects with the existing network.

Provide footpaths on both sides of a street to enhance accessibility for all abilities.

15.01-4S Healthy neighbourhoods

02/09/2025
VC283

Objective

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

Strategies

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

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

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

Policy documents

Consider as relevant:

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

15.01-5S Neighbourhood character

09/10/2020
VC169

Objective

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

Strategies

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

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

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

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

15.01-5L Hobsons Bay preferred neighbourhood character

24/02/2022
C131hbay

Policy application

This policy applies to the development of land in a Neighbourhood Residential Zone and General Residential Zone in a Minimal Change Area, Incremental Change Area, or Moderate Change Area shown on the Residential Development Framework Plan at Clause 02.04. This policy does not apply to land in the Neighbourhood Character Overlay or Heritage Overlay.

Objective

To support development of three-storeys in moderate change areas, and two-storeys in incremental and minimal change areas, consistent with the preferred neighbourhood character and housing outcomes.

Strategies

Respect the garden settings and vegetation character.

Maintain the openness of streetscapes and the visual connection between buildings and the street through the use of low or transparent fences.

Design development to maintain the horizontality of buildings in the streetscape and the dominance of roof structures where present, by retaining larger exposed roof forms over front porches, matching ground level wall heights, and minimising composition and detailing that would give the appearance of narrow, vertical forms.

Maintain the rhythm and spacing of the streetscape by providing setbacks from side boundaries for new buildings.

Support buildings that provide an articulated and visually varied façade with habitable rooms at the front of buildings.

Minimise the dominance of car parking facilities, driveways and crossovers and ensure they occupy a minor proportion of the building frontage.

Provide vehicular access from a rear laneway or rear access driveway where available and minimise the number of vehicular crossovers.

Minimise paving and other hard surfaces in front garden areas, including driveways and crossovers.

Retain space in front and rear setbacks for substantial planting and design these areas to:

- Include landscaping along side boundaries and driveways, where in the front setback.
- Accommodate canopy trees.

Support subdivision and site layout that retains large, established trees and provides for the planting of new trees to minimise visual bulk.

Design developments to allow vegetation to reach maturity and to be maintained without threatening buildings, services, access and infrastructure in the longer term.

Use building materials and finishes that complement the dominant pattern within the streetscape.

Policy documents

Consider as relevant:

- *Neighbourhood Character Study* (Hobsons Bay City Council, 2019)
- *Housing Strategy* (Hobsons Bay City Council, 2019)
- *Urban Forest Strategy 2020* (Hobsons Bay City Council, 2020)

15.01-6S Design for rural areas

31/07/2018
VC148

Objective

To ensure development respects valued areas of rural character.

Strategies

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

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

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

15.02 [NO CONTENT]

10/06/2022
VC216

15.02-1S [NO CONTENT]

10/06/2022
VC216

15.03 HERITAGE

31/07/2018
VC148

15.03-1S Heritage conservation

02/09/2025
VC283

Objective

To ensure the conservation of places of heritage significance.

Strategies

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines

Consider as relevant:

- The findings and recommendations of the Victorian Heritage Council.

Policy documents

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

15.03-1L-01 Heritage conservation

24/02/2022
C131hbay

Policy application

This policy applies to all land affected by the Heritage Overlay.

Conservation strategies

Support the retention of Victorian, Edwardian and Inter-war era buildings wherever possible.

Support the continued original use of the building by enabling it to be upgraded to meet present day occupancy requirements and standards.

Encourage the conservation of elements that contribute to the significance of a heritage place.

Ensure places of cultural heritage are conserved and, where appropriate, interpreted.

Support the repair, restoration, stabilisation or reconstruction of fabric where possible.

Conserve and reconstruct as appropriate early public realm infrastructure such as basalt gutters, unmade roadside verges, bluestone and concrete kerbs, channels, footpaths and laneways.

Retain original front fences and related features such as lynch gates and pergolas.

Support the replacement of non-contributory buildings within a development that complements the historic context of surrounding heritage places.

Discourage demolition of a heritage place on the basis of poor structural or aesthetic conditions whether this is the result of deterioration, neglect, damage or for any other reason.

Development strategies

Support adaptive reuses of redundant heritage buildings, such as former industrial and commercial buildings, that protect the physical and cultural heritage significance of the building and its contribution to development of Hobsons Bay.

Design development (including infill, alterations and additions) to not visually dominate a heritage place and complement or enhance its aesthetic qualities in terms of scale, siting, design, form and materiality.

Support development that creatively interprets and complements the historic context of a heritage place.

Distinguish new development from original building stock through the use of innovative and contemporary design that respects heritage character.

Avoid distorting the historic evidence of heritage places by copying or reproducing historic styles or details.

Ensure that development reinforces the existing road layout and subdivision pattern that defines and characterises the broader heritage place.

Support development that enhances the historic cultural landscape character found in a street or precinct through landscape design and selection of species.

Create strong visual linkages and physical connections to key surrounding features such as views, vistas, significant vegetation and landmarks.

Discourage vehicle crossovers and off-street parking provision at the front of heritage places, unless these features were historically found in the street where the property is located and no suitable alternative exists.

Replace any removed significant street tree with a semi-advanced species.

If a front fence is not significant, provide low timber picket fencing or other styles that are historically complementary to the stylistic period of the dwelling.

Demolition strategies

Avoid the demolition of heritage places unless one of the following applies:

- The fabric to be removed is not of primary significance and its removal will not adversely affect the significance of the place.
- The demolition will assist in the long-term conservation of the place.
- In the case of an industrial heritage place, demolition will facilitate the historic use of the place and will not result in the avoidable loss of fabric of primary significance.

Encourage the removal of alterations and additions except where they contribute to the significance of the heritage place.

Avoid the removal of significant street trees unless dead or a safety risk.

Policy documents

Consider as relevant:

- *Hobsons Bay Heritage Study* (Hobsons Bay City Council et al., 2007 Amended 2017)
- *Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay* (Hobsons Bay City Council, 2006)
- *Guidelines for Infill Development in Heritage Areas in Hobsons Bay* (Hobsons Bay City Council, 2006)
- *Hobsons Bay Advertising Signs Guidelines* (Hobsons Bay City Council, June 1999)

15.03-1L-02 Industrial heritage

24/02/2022
C131hbay

Policy application

This policy applies to all land zoned Industrial 1, Industrial 3 or Special Use that is included within the Heritage Overlay.

Objective

To ensure that heritage conservation is an integral part of the use and development of industrial sites.

Strategies

Support the conservation of the historic industrial use carried out on site where viability and occupational health and safety allow.

Conserve fabric of primary significance unless either of the following apply:

- Its retention would jeopardise the ongoing operation of the historic use of the site.
- The historic use has ceased and the fabric is not suitable for adaptation.

Support the retention of redundant equipment and fabric of primary significance in-situ for historic evidence and interpretation.

When a use is discontinued and a site is redeveloped, the development (including subdivision) is to:

- Retain as much significant fabric as possible.
- Incorporate a creative interpretation of the history of the heritage place through the design and layout of the development including buildings, subdivision, landscaping, movement systems and public art.
- Incorporate a publicly visible historic marker that provides the history of the site.
- Keep a record of any significant fabric that is removed or demolished.

Policy documents

Consider as relevant:

- *Hobsons Bay Heritage Study* (Hobsons Bay City Council et al., 2007 Amended 2017)

15.03-2S Aboriginal cultural heritage

31/07/2018
VC148

Objective

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

Strategies

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

- *Aboriginal Heritage Act 2006*

16 HOUSING

31/07/2018
VC148

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

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

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

16.01 RESIDENTIAL DEVELOPMENT

31/07/2018
VC148

16.01-1S Housing supply

16/04/2026
VC300

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

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

Table 2 - Regional Victoria Housing Targets

	Housing Target	Greenfield Area Target	Established Area Target

Barwon			
Colac Otway	3,700	-	-
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
Moira	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			

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	-	-

16.01-1R Housing supply - Metropolitan Melbourne

04/02/2026
VC265

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 Location of residential development

24/02/2022
C131hbay

Policy application

This policy applies to all land identified in the Residential Development Framework Plan at Clause 02.04.

Strategies

Support higher density residential development in:

- Activity centres
- Strategic Redevelopment Areas.
- Areas identified for moderate and substantial housing change.

Encourage consolidation of lots in substantial and moderate change areas to support higher density developments.

Limit dwelling density in minimal change areas, especially when affected by environmental constraints.

Avoid increased dwelling density in areas close to major hazard facilities.

16.01-2S Housing affordability

02/09/2025
VC283

Objective

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

Strategies

Improve housing affordability by:

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

Increase the supply of well-located affordable housing by:

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

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

Policy documents

Consider as relevant:

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

16.01-3S Rural residential development

09/10/2020
VC169

Objective

To identify land suitable for rural residential development.

Strategies

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

16.01-4S Community care accommodation

04/11/2022
VC226

Objective

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

Strategies

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

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

16.01-5S Residential aged care facilities

09/10/2020
VC169

Objective

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

Strategies

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

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

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

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

Encourage planning for housing that:

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

17 ECONOMIC DEVELOPMENT

31/07/2018
VC148

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

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

17.01 EMPLOYMENT

31/07/2018
VC148

17.01-1S Diversified economy

31/07/2018
VC148

Objective

To strengthen and diversify the economy.

Strategies

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

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

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

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.

17.01-1R Diversified economy - Metropolitan Melbourne

02/09/2025
VC283

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.

17.01-2S Innovation and research

04/10/2018
VC149

Objective

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

Strategies

Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

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

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

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

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

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

17.02 COMMERCIAL

31/07/2018
VC148

17.02-1S Business

15/03/2024
VC256

Objective

To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

Strategies

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Locate commercial facilities in existing or planned activity centres.

Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.

Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.

Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.

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

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

17.02-2S Out-of-centre development

31/07/2018
VC148

Objective

To manage out-of-centre development.

Strategies

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

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

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

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

17.02-2L Out-of-centre development

24/02/2022
C131hbay

Strategies

Discourage out-of-centre commercial development unless a suitable location within the activity centre network is not available and the development will result in a net community benefit.

17.03 INDUSTRY

31/07/2018
VC148

17.03-1S Industrial land supply

14/01/2025
VC237

Objective

To ensure availability of land for industry.

Strategies

Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.

Identify land for industrial development in urban growth areas where:

- Good access for employees, freight and road transport is available.
- Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.

Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.

Preserve locally significant industrial land for industrial or employment generating uses, unless long-term demand for these uses can be demonstrably met elsewhere.

Avoid non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

Policy documents

Consider as relevant:

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

17.03-1L Industrial land supply

24/02/2022
C131hbay

Strategies

Support the growth, development and expansion of industrial enterprises in significant industrial land, as shown on the Strategic Framework Plan in Clause 02.04.

Ensure that land use and development in the vicinity of significant industrial land does not adversely affect the viability of established industry within the area.

Policy documents

Consider as relevant:

- *Hobsons Bay Industrial Land Management Strategy* (City of Hobsons Bay, June 2008)
- *Hobsons Bay Industrial Development Design Guidelines* (City of Hobsons Bay, June 2008)

17.03-2S Sustainable industry

14/01/2025
VC237

Objective

To facilitate the sustainable operation of industry.

Strategies

Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.

Encourage activities with minimal threshold requirements to locate towards the perimeter of the industrial area.

Minimise inter-industry conflict and encourage like industries to locate within the same area.

Protect industrial activity in industrial zones from the encroachment of commercial, residential and other sensitive uses that would adversely affect industry viability.

Encourage industrial uses that meet appropriate standards of safety and amenity to locate within activity centres.

Support the retention of small-scale industries servicing established urban areas through appropriate zoning.

Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.

Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.

Policy documents

Consider as relevant:

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

17.03-2L Sustainable industry

24/02/2022
C131hbay

Strategies

Avoid locating industries with significant off-site impacts near residential areas, activity centres or sensitive uses.

Support light industrial development as buffer between residential and heavier industrial areas.

Support the relocation of industries that have amenity conflicts with existing residential areas (including industries in residential zones).

Policy documents

Consider as relevant:

- *Hobsons Bay Industrial Land Management Strategy* (City of Hobsons Bay, June 2008)
- *Hobsons Bay Industrial Development Design Guidelines* (City of Hobsons Bay, June 2008)

17.03-3S Significant industrial land

02/09/2025
VC283

Objective

To protect significant industrial land.

Strategies

Protect state significant industrial precincts from incompatible land uses to allow for future growth. State significant industrial precincts include but are not limited to:

- Southern Industrial Precinct - Dandenong South.
- Northern Industrial Precinct - Campbellfield, Somerton and Thomastown.
- Western Industrial Precinct - Laverton North and Derrimut.
- Officer / Pakenham Industrial Precinct.
- Port of Hastings Industrial Precinct.

Ensure sufficient availability of strategically located land for major industrial development, particularly for industries and storage facilities that require significant threshold distances from sensitive or incompatible uses.

Protect heavy industrial areas from inappropriate development and maintain adequate buffer distances from sensitive or incompatible uses.

Policy documents

Consider as relevant:

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

17.03-3R Regionally significant industrial land - Metropolitan Melbourne

02/09/2025
VC283

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 Regionally significant industrial land - Metropolitan Melbourne - Western Metro Region

03/03/2023
VC215

Strategy

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

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

17.04 TOURISM

31/07/2018
VC148

17.04-1S Facilitating tourism

31/07/2018
VC148

Objective

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

Strategies

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

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

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

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

Policy guidelines

Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents

Consider as relevant:

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

17.04-1R Tourism in Metropolitan Melbourne

31/07/2018
VC148

Objective

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

Strategies

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

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

17.04-2S Coastal and maritime tourism and recreation

20/03/2023
VC229

Objective

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

Strategies

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

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

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

Ensure sites and facilities are accessible to all.

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

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

- *Coastal Spaces Landscape Assessment Study* (Department of Sustainability and Environment, 2006)

- *Gippsland Boating Coastal Action Plan 2013 - Gippsland Coastal Board*
- *Recreational Boating Facilities Framework July 2014 - Central Coastal Board*
- *Western Boating Coastal Action Plan 2010 - Western Coastal Board*

Policy documents

Consider as relevant:

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

18 TRANSPORT

09/12/2021
VC204

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

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

18.01 LAND USE AND TRANSPORT

09/12/2021
VC204

18.01-1S Land use and transport integration

04/02/2026
VC265

Objective

To facilitate access to social, cultural and economic opportunities by effectively integrating land use and transport.

Strategies

Plan and develop a transport system that facilitates:

- Social and economic inclusion for all people and builds community wellbeing.
- The best use of existing social and economic infrastructure.
- A reduction in the distances people have to travel to access jobs and services.
- Better access to, and greater mobility within, local communities.
- Network-wide efficiency and coordinated operation.

Plan land use and development to:

- Protect existing transport infrastructure from encroachment or detriment that would impact on the current or future function of the asset.
- Protect transport infrastructure that is in delivery from encroachment or detriment that would impact on the construction or future function of the asset.
- Protect planned transport infrastructure from encroachment or detriment that would impact deliverability or future operation.
- Protect identified potential transport infrastructure from being precluded by land use and development.

Plan land use and development to allow for the ongoing improvement and development of the State Transport System in the short and long term.

Plan movement networks and adjoining land uses to minimise disruption to residential communities and their amenity.

Plan the timely delivery of transport infrastructure and services to support changing land use and associated transport demands.

Plan improvements to public transport, walking and cycling networks to coordinate with the ongoing development and redevelopment of urban areas.

Plan the use of land adjacent to the transport system having regard to the current and future development and operation of the transport system.

Reserve land for strategic transport infrastructure to ensure the transport system can be developed efficiently to meet changing transport demands.

Support urban development that makes jobs and services more accessible:

- In accordance with forecast demand.
- By taking advantage of all available modes of transport.

Protect existing and facilitate new walking and cycling access to public transport.

Locate major government and private sector investments in Major regional cities, Regional Cities and Regional service centres on major transport corridors to maximise the access and mobility of communities.

Design neighbourhoods to:

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

- Respond to the safety needs of all users.

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

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

Policy documents

Consider as relevant:

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

18.01-1L Newport integrated transport

11/02/2026
C133hbay

Policy application

This policy applies to the Newport Structure Plan area, as shown on the Newport Large Neighbourhood Activity Centre Plan in Clause 11.03-1L.

Objective

To improve pedestrian and bicycle connections within the Newport Structure Plan area.

Strategies

Maintain and improve pedestrian access along rear laneways.

Improve pedestrian and bicycle links:

- To public open space areas
- To the bus interchange on Mason Street
- To Newport Station
- Along Market Street
- Between Newport Station and commuter car parking areas at the VicTrack land on Market Street
- Between the east and west sides of the activity centre, as separated by the railway corridor and Melbourne Road

Policy documents

Consider as relevant:

- *Activity Centre Strategy 2019-36* (Hobsons Bay City Council, July 2019)
- *Newport Structure Plan* (Hobsons Bay City Council, November 2021)

18.01-2S Transport system

02/09/2025
VC283

Objective

To facilitate the efficient, coordinated and reliable movement of people and goods by developing an integrated and efficient transport system.

Strategies

Plan and develop a transport system integrated across all movement networks that:

- Facilitates the efficient, coordinated and reliable movement of people and goods at all times.
- Optimises transport system capacity.
- Improves connectivity and facilitates the growth and development of regional Victoria.
- Improves connectivity between Victoria's Major regional cities, Regional cities, Regional service centres and metropolitan Melbourne.
- Ensures sufficient capacity for the movement of passengers into and out of Victoria at Principal Transport Gateways.
- Improves how goods are moved to local, interstate and overseas markets.
- Maximises access to residential areas, employment, markets, services and recreation.
- Improves local transport options to support 20-minute neighbourhoods in Melbourne's suburbs and Victoria's regional cities and towns.

- Is legible and enables easy access and movement between modes.

Plan movement networks that share the same space to do so in a way that balances the needs of the different users of the transport system.

Plan and develop the State Transport System comprising the:

- Principal Bicycle Network: Existing and future high quality cycling routes that provide access to major destinations and facilitate cycling for transport, sport, recreation and fitness.
- Principal Public Transport Network: Existing and future high quality public transport routes in the Melbourne metropolitan area.
- Regional Rail Network: Existing and future passenger rail routes in regional Victoria.
- Principal Road Network: Declared arterial roads and freeways under the *Road Management Act 2004*.
- Principal Freight Network: Existing and future corridors and precincts where the movement of high volumes of freight are concentrated or of strategic value.
- Principal Transport Gateways: Existing and future ports, airports and interstate terminals that serve as key locations for moving passengers and freight into, out of and around Victoria.

Facilitate delivery of:

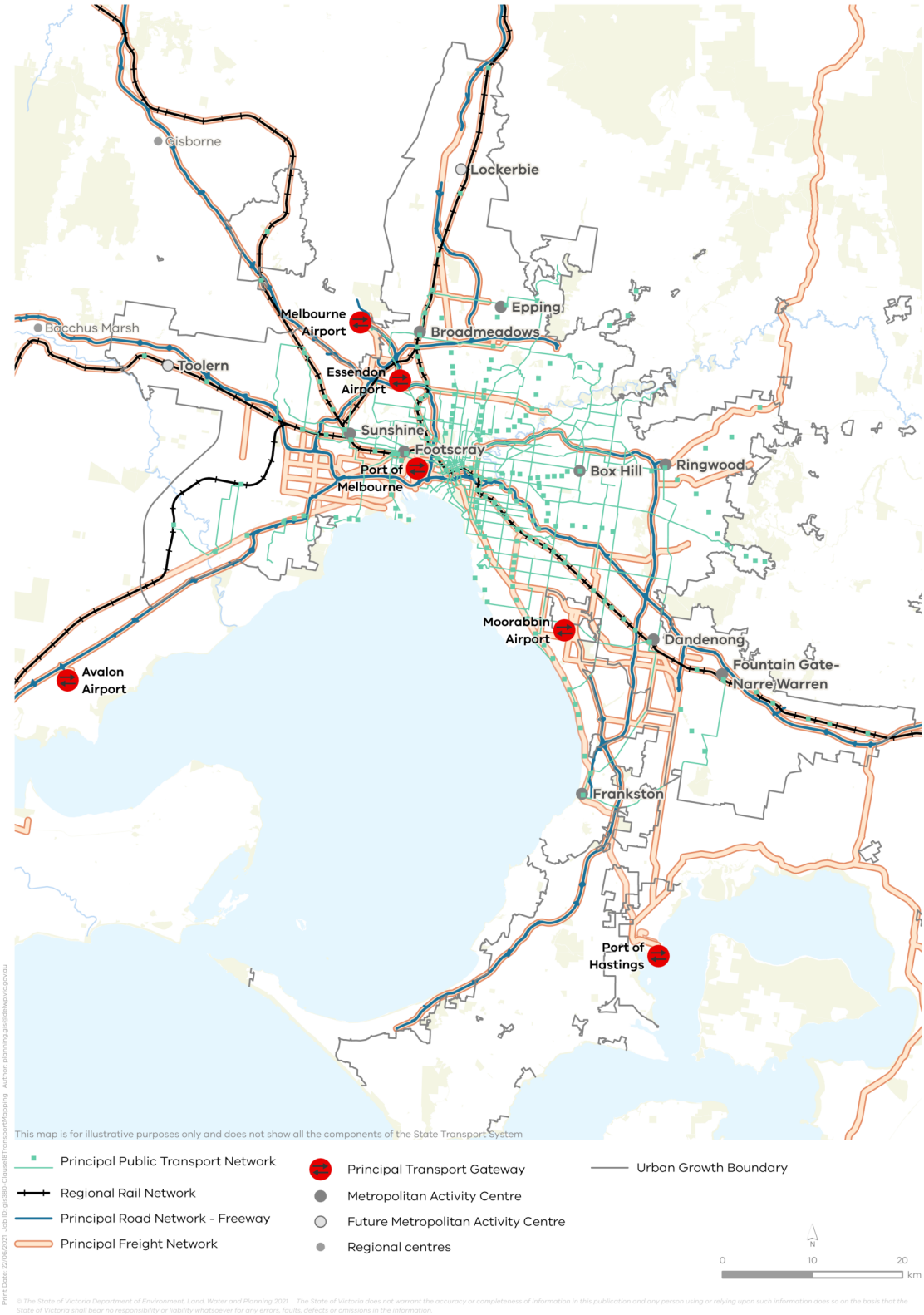
- Declared major transport projects and their ancillary projects that are of economic, social or environmental significance to the State of Victoria.
- Transport projects that improve the State Transport System.

Policy documents

Consider as relevant:

- *Movement and Place in Victoria* (Department of Transport, February 2019)

State Transport System – Metropolitan Melbourne Plan



State Transport System – Regional Victoria Plan



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18.01-2L Transport system

24/02/2022
C131hbay

Objective

To protect residential and other sensitive land uses from the adverse effects of vehicular traffic.

Strategies

Avoid industrial land uses and developments that are dependent upon heavy transport or high volumes of vehicle trips in locations that require trucks to use roads through predominantly residential areas.

Manage traffic impacts in a holistic and strategic manner to avoid transferring traffic problems to neighbouring areas.

Support the upgrade of the arterial system to service industrial areas of the municipality, particularly connections to the Western Ring Road from the Grieve Parade industrial area.

Develop new industrial access roads to service industrial areas.

Ensure that use and development on the foreshore mitigates any detrimental impact arising from traffic and car parking on the surrounding road network and foreshore area.

18.01-3S Sustainable and safe transport

09/12/2021
VC204

Objective

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

Strategies

Plan and develop the transport system to:

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

Plan the transport system to be safe by:

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

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

Design the transport system to be accessible to all users.

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

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

Policy documents

Consider as relevant:

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

18.01-3R Sustainable and safe transport - Metropolitan Melbourne

09/12/2021
VC204

Strategies

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

18.01-3L Sustainable personal transport

24/02/2022
C131hbay

Strategies

Provide end-of-trip facilities such as bicycle parking, lockers and change areas in activity centres, train stations and public transport hubs.

18.02 MOVEMENT NETWORKS

31/07/2018
VC148

18.02-1S Walking

09/12/2021
VC204

Objective

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

Strategies

Plan and develop walking networks to:

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

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

Provide walking infrastructure in all major transport projects.

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

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

Policy documents

Consider as relevant:

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

18.02-2S Cycling

02/09/2025
VC283

Objective

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

Strategies

Plan and develop cycling networks to:

- Provide routes that are safe, comfortable, low-stress and well connected.
- Enable cycling as a part of everyday life.
- Enable people to meet more of their needs locally by cycling and to rely less on their cars.
- Accommodate emerging forms of low emission, low and moderate speed personal transport.

Protect and develop the Principal Bicycle Network to provide high-quality cycling routes that are direct and connected, to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

Develop Strategic Cycling Corridors by:

- Integrating them with stations and major interchanges on the public transport network that serve places of state significance.
- Integrating them with the central city, Employment and Innovation Areas, major activity centres and other destinations of metropolitan or state significance.
- Facilitating safer, lower stress and more direct journeys using a combination of cycleways, cycle paths and shared streets.
- Providing the most direct route practical.
- Designing transport corridors to prioritise cycling links and cyclists.

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

Support increased cycling by providing:

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

Policy documents

Consider as relevant:

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

18.02-3S Public transport

18/12/2025
VC277

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 Principal Public Transport Network

09/12/2021
VC204

Strategies

Facilitate high-quality public transport access to job-rich areas.

Maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network, particularly at interchanges, activity centres and where principal public transport routes intersect.

Identify and plan for new Principal Public Transport Network routes.

Support the Principal Public Transport Network with a comprehensive network of local public transport.

Plan for local bus services to provide for connections to the Principal Public Transport Network.

Improve the operation of the Principal Public Transport Network by providing for:

- A metro-style rail system.
- Extended tram lines and the establishment of a light rail system.
- Road space management measures including transit lanes, clearways, stops and interchanges.

18.02-3L Public transport

24/02/2022
C131hbay

Strategies

Support upgrading public transport services to reduce traffic congestion both within the municipality and surrounding areas.

Support the provision of bus interchanges at activity centres or where bus services interconnect with other modes of transport to maximise connectivity.

18.02-4S Roads

18/12/2025
VC277

Objective

To facilitate an efficient and safe road network that integrates all movement networks and makes best use of existing infrastructure.

Strategies

Plan and develop the road network to:

- Ensure people are safe on and around roads.
- Improve people's perceptions of safety on and around roads.
- Improve road connections for all road users.
- Facilitate the use of public transport, cycling and walking.
- Integrate new and emerging technologies into road design, including the increasing connectivity and automation of vehicles.
- Accommodate the expansion of the High Productivity Freight Vehicle Network, and oversize and overmass vehicles.

Protect and develop the Principal Road Network to:

- Provide high mobility for through traffic and the efficient movement of freight by facilitating adequate movement capacity and speeds.
- Improve cross-town arterial links in outer suburbs and growth areas, including circumferential and radial movement to facilitate access to jobs and services.
- Limit access points to high-volume, high-speed roads by utilising urban design techniques such as service roads and internal connector roads.
- Improve high-capacity on-road public transport.

Develop declared freeways to:

- Link Melbourne with major regional cities, major interstate locations and other key locations important to the economy along major national and state transport corridors.
- Connect and provide access to Principal Transport Gateways and freight-generating areas.
- Improve connections to Employment and Innovation Areas.
- Connect dispersed major residential areas with key destinations and lower density employment areas.
- Avoid private access, except for service centres.

Provide for grade separation at railway crossings, except with the approval of the Minister for Transport and Infrastructure.

Improve Melbourne's distinctive, established boulevards by developing a connected, contemporary network of boulevards within the urban growth boundary.

Design road space to complement land use and meet business and community needs through the provision of wider footpaths, bicycle lanes, transit lanes (for buses and commercial passenger vehicles) and freight routes, in line with the designated role of the road.

Design roads to facilitate the safe movement of people and goods while providing places for people to interact and gather in high pedestrian areas like activity centres, around schools and around community facilities.

Plan an adequate supply of car parking that is designed and located to:

- Protect the role and function of nearby roads.

- Enable the efficient movement and delivery of goods.
- Facilitate the use of public transport.
- Maintain journey times and the reliability of the on-road public transport network.
- Protect residential areas from the effects of road congestion created by on-street parking.
- Enable easy and efficient use.
- Achieve a high standard of urban design.
- Protect the amenity of the locality, including the amenity of pedestrians and other road users.
- Create a safe environment, particularly at night.

Allocate land for car parking considering:

- The existing and potential modes of access including public transport.
- The demand for off-street car parking.
- Road capacity.
- The potential for demand-management of car parking.

Consolidate car parking facilities to improve efficiency.

Design public car parks to incorporate electric charging facilities to support the use of low-emission vehicles.

Policy documents

Consider as relevant:

- *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)

18.02-5S Freight

09/12/2021
VC204

Objective

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

Strategies

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

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

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

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

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

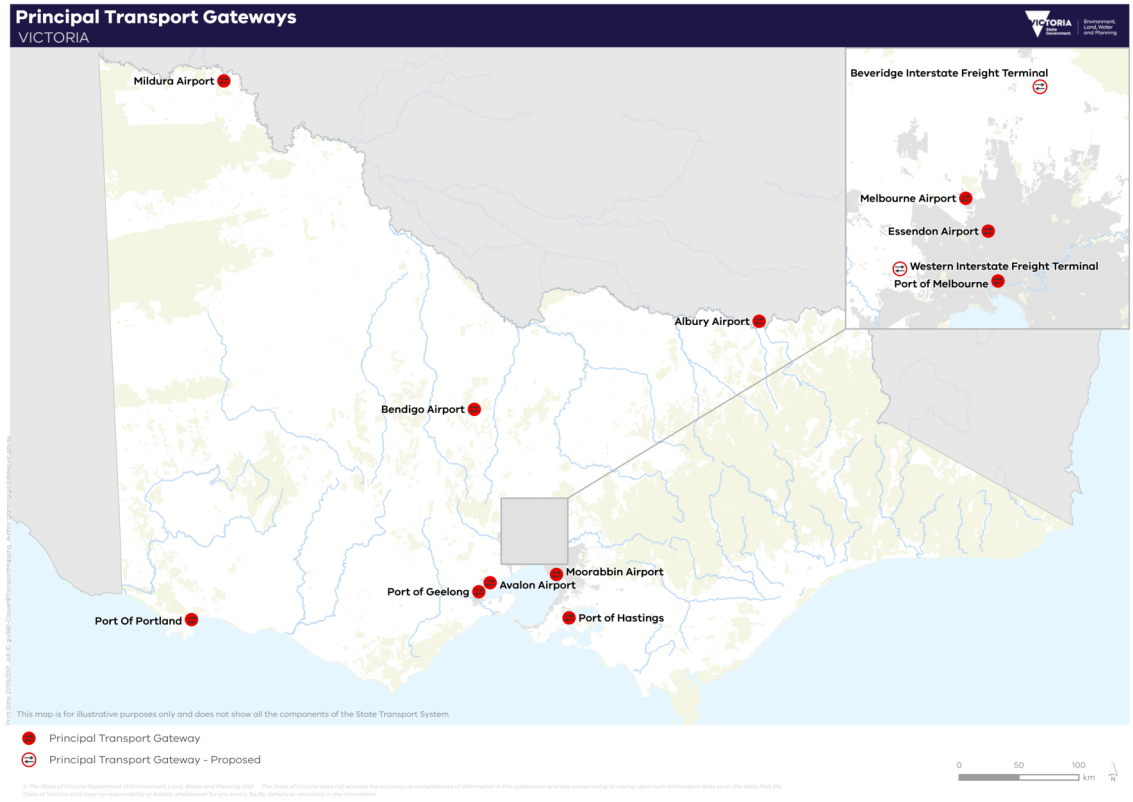
- Allocating land for complementary uses and employment-generating activities, such as distribution and warehousing.
- Reserving and appropriately zoning land for interstate freight terminals to support development that allows for the direct and immediate delivery of goods to market.
- Allocating land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

Policy documents

Consider as relevant:

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

Principal Transport Gateways



18.02-5R Freight links - Metropolitan Melbourne

09/12/2021
VC204

Strategy

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

18.02-6S Ports

09/12/2021
VC204

Planning for ports objective

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

Planning for ports strategies

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

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

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

Planning for port environs objective

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

Planning for port environs strategies

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

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

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

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

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

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

Ensure that any use or development within port environs:

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

Policy documents

Consider as relevant:

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

18.02-7S Airports and airfields

18/05/2022
VC218

Objective

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

Strategies

Protect airports and airfields from incompatible land use and development.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents

Consider as relevant:

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

18.02-7R Melbourne Airport

20/03/2023
VC229

Strategies

Protect the curfew-free status of Melbourne Airport and ensure any new use or development does not prejudice its operation or optimum usage.

Policy documents

Consider as relevant:

- *Melbourne Airport Master Plan 2022* (Australia Pacific Airports (Melbourne) Pty Ltd)
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*

19 INFRASTRUCTURE

10/06/2022
VC216

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

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

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

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

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

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

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

19.01 ENERGY

31/07/2018
VC148

19.01-1S Energy supply

05/09/2025
VC268

Objective

To facilitate appropriate development of energy supply infrastructure.

Strategies

Support the development of energy generation, storage, transmission, and distribution infrastructure to transition to a low-carbon economy.

Develop appropriate infrastructure to meet community demand for energy services.

Ensure energy generation, storage, transmission and distribution infrastructure and projects are resilient to the impacts of climate change.

Facilitate the production and distribution of zero emission gases and fuels.

Support energy infrastructure projects in locations that minimise land use conflicts, including in any renewable energy zones declared under section 63 of the *National Electricity (Victoria) Act 2005*.

Support energy infrastructure projects in locations that take advantage of existing and planned resources and infrastructure networks.

Facilitate energy infrastructure projects that help diversify local economies and improve sustainability and social outcomes.

Facilitate renewable energy generation and storage to meet on-site energy needs.

Policy guidelines

Consider as relevant:

- The long-term emissions reduction target specified in section 6 of Part 2 of the *Climate Action Act 2017*.
- Interim emissions reduction targets determined under Division 2 of Part 2 of the *Climate Action Act 2017*.
- Adaptation action plans prepared under Division 2 of Part 5 of the *Climate Action Act 2017*.

Policy documents

Consider as relevant:

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

19.01-2S Renewable energy

05/09/2025
VC268

Objective

To support the provision and use of renewable energy in a manner that ensures appropriate siting and design considerations are met.

Strategies

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

Protect renewable energy infrastructure against competing and incompatible uses.

Set aside suitable land for future renewable energy infrastructure.

Consider the economic, social and environmental benefits to the broader community of renewable energy generation while also considering the need to minimise the effects of a proposal on the local community and environment.

Support wind energy facilities in locations with consistently strong winds over the year.

Policy documents

Consider as relevant:

- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021)
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, October 2022)
- *Victoria's Climate Change Strategy* (Department of Environment, Land, Water and Planning, May 2021)
- *Community Engagement and Benefit Sharing in Renewable Energy Development in Victoria* (Department of Environment, Land, Water and Planning, July 2021)
- *2025 Victorian Transmission Plan* (VicGrid, 2025)

19.01-2R Renewable energy - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Facilitate the uptake of renewable energy technologies on a site-by-site and neighbourhood level during the master planning of new communities and in green wedge and peri-urban areas.

19.01-3S Pipeline infrastructure

31/07/2018
VC148

Objective

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

Strategies

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

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

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

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

19.02 COMMUNITY INFRASTRUCTURE

31/07/2018
VC148

19.02-1S Health facilities

31/07/2018
VC148

Objective

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

Strategies

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

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

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

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

19.02-1R Health precincts - Metropolitan Melbourne

31/07/2018
VC148

Strategies

Facilitate health and community wellbeing precincts through the co-location of:

- Hospitals, allied health services and not-for-profit health providers at the regional level.
- General practitioners, community health facilities, allied health services and not-for-profit health providers at the neighbourhood level.

Create health precincts in new suburbs in or close to town centres.

Ensure health precincts are well serviced by community services.

19.02-2S Education facilities

29/09/2022
VC222

Objective

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

Strategies

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school and secondary school facilities provide safe vehicular drop-off zones.

Facilitate the establishment and expansion of primary and secondary education facilities to meet the existing and future education needs of communities.

Recognise that primary and secondary education facilities are different to dwellings in their purpose and function and can have different built form (including height, scale and mass).

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Consider the existing and future transport network and transport connectivity.

Develop libraries as community based learning centres.

Co-locate a kindergarten facility with all new Victorian Government primary schools.

19.02-2R Education precincts - Metropolitan Melbourne

31/07/2018
VC148

Strategy

Ensure education precincts are well serviced by community services.

19.02-3S Cultural facilities

31/07/2018
VC148

Objective

To develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Strategies

Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.

19.02-3R Cultural facilities - Metropolitan Melbourne

31/07/2018
VC148

Strategies

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

19.02-4S Social and cultural infrastructure

31/07/2018
VC148

Objective

To provide fairer distribution of and access to, social and cultural infrastructure.

Strategies

Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.

19.02-4L Social and cultural infrastructure

24/02/2022
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Strategies

Support the development of studio spaces and galleries in activity centres and other locations with good access to public transport, where their presence will enhance the public realm and activate street frontages.

Support the retention and adaptive reuse of industrial buildings for art and cultural purposes where their use has become redundant.

Support public places and spaces that contribute to creating a sense of belonging, including for people from culturally and linguistically diverse backgrounds.

Policy document

Consider as relevant:

- *Community Facility Planning Principles* (Hobsons Bay City Council, 2008)

19.02-5S Emergency services

31/07/2018
VC148

Objective

To ensure suitable locations for police, fire, ambulance and other emergency services.

Strategies

Ensure police, fire, ambulance and other emergency services are provided for in or near activity centres.

Locate emergency services together in newly developing areas.

19.02-6S Open space

31/07/2018
VC148

Objective

To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Strategies

Plan for regional and local open space networks for both recreation and conservation of natural and cultural environments.

Ensure that open space networks:

- Are linked, including through the provision of walking and cycling trails.
- Are integrated with open space from abutting subdivisions.
- Incorporate, where possible, links between major parks and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest.
- Maintain public accessibility on public land immediately adjoining waterways and coasts.

Create opportunities to enhance open space networks within and between settlements.

Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

Ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, preservation of vegetation and treatment of waste water to reduce turbidity and pollution.

Improve the quality and distribution of open space and ensure long-term protection.

Protect large regional parks and significant conservation areas.

Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

Ensure that where there is a reduction of open space due to a change in land use or occupation, additional or replacement parkland of equal or greater size and quality is provided.

Ensure that urban open space provides for nature conservation, recreation and play, formal and informal sport, social interaction, opportunities to connect with nature and peace and solitude.

Accommodate community sports facilities in a way that is not detrimental to other park activities.

Ensure open space provision is fair and equitable with the aim of providing access that meets the needs of all members of the community, regardless of age, gender, ability or a person's location.

Develop open space to maintain wildlife corridors and greenhouse sinks.

Provide new parkland in growth areas and in areas that have an undersupply of parkland.

Encourage the preparation of management plans or explicit statements of management objectives for urban parks.

Ensure exclusive occupation of parkland by community organisations is restricted to activities consistent with management objectives of the park to maximise broad community access to open space.

Ensure the provision of buildings and infrastructure is consistent with the management objectives of the park.

Ensure public access is not prevented by developments along stream banks and foreshores.

Ensure public land immediately adjoining waterways and coastlines remains in public ownership.

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.

19.02-6R Open space - Metropolitan Melbourne

14/04/2025
VC281

Objective

To strengthen the integrated metropolitan open space network.

Strategies

Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.

Ensure major open space corridors are protected and enhanced.

Develop open space networks in growth areas and in the surrounding region of Metropolitan Melbourne, where existing open space is limited and demand is growing, including:

- Cardinia Creek Parklands.
- Cranbourne Regional Park.
- Kororoit Creek Corridor.
- Quarry Hills Regional Park.
- Chain of Parks - Sandbelt.
- Sunbury Regional Park - Jacksons Creek Valley.
- Toolern Creek Regional Park.
- Werribee Township Regional Park.

Create continuous open space links and trails along the:

- Frankston parklands (linking existing parks from Carrum to Mornington).
- Maribyrnong River parklands.
- Merri Creek parklands (extending to Craigieburn).
- Western Coastal parklands (linking Point Gellibrand, Point Cook and Werribee).
- Birrarung (Yarra River) parklands (extending from Warrandyte to the Port Phillip Bay).

Provide long term planning protection to meet demand for future open space along the Plenty Gorge parklands, Yarra Valley parklands, Cardinia Creek parklands, Heatherton/Dingley 'Sandbelt' parklands and Dandenong Valley parklands.

Protect the metropolitan water's edge parklands from intrusion and encroachment of development that impacts on open space and their natural landscape setting.

Continue development of the Birrarung (Yarra River) Inner City reach, identified in clause 12.03-1R Map 1, as a focus for sport, entertainment and leisure.

Support establishing community gardens and productive streetscapes.

Policy documents

Consider as relevant:

- *Open Space for Everyone: Open Space Strategy for Metropolitan Melbourne 2021* (Department of Environment, Land, Water and Planning, 2021)
- *Maribyrnong River – Vision for Recreational and Tourism Development* (Melbourne Parks and Waterways, 1996)
- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)

19.02-6L Open space

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General strategies

Enhance the accessibility and useability of the trail network by providing safe and high quality linkages to other public uses and residential areas.

Improve provision and access to open space in areas identified as having a deficiency by:

- Enhancing the accessibility, quality and utilisation of existing open space by upgrading infrastructure and facilities.
- Supporting the expansion of existing open space areas.
- Supporting the development of new parks.

Protect and enhance the Hobsons Bay Coastal Park as the main park in the municipality.

Protect and develop linear creek parks to provide connections from northern areas in the municipality to the coast park and trail network.

Establish linear parks along Skeleton, Stony, Kororoit and Laverton Creeks, as well as drainage and other corridors to provide opportunities for cycling and walking.

Create a continuous open space and waterway system between Point Gellibrand and Cheetham Wetlands/Point Cook.

Protect the cultural features of open space and where appropriate provide interpretation.

Encourage landowners to set aside privately owned land along watercourses for public open space.

Kororoit Creek strategies

Develop the Kororoit Creek corridor as a major focus for recreation and community activities.

Create a continuous shared-trail along the creek by completing gaps in the Kororoit Creek Trail.

Improve connections between existing open spaces, community facilities and the creek.

Protect landscapes that are representative of the Kororoit Creek corridor.

Facilitate the provision of boardwalks to manage pedestrian and bicycle access and protect the salt marsh areas of the Altona Coastal Park.

Discourage visible car parks within sight from the Altona Coastal Park and locate new infrastructure to the edges of the creek corridor or on adjacent access roads to maintain the landscape character of the Altona Coastal Park.

Policy guidelines

Consider as relevant:

- Encouraging the provision of open spaces within a 10-minute walking distance of 95 per cent of residents.

19.03 DEVELOPMENT INFRASTRUCTURE

31/07/2018
VC148

19.03-1S Development and infrastructure contributions plans

24/01/2020
VC160

Objective

To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.

Strategies

Prepare development contributions plans and infrastructure contributions plans, under the *Planning and Environment Act 1987*, to manage contributions towards infrastructure.

Collect development contributions on the basis of approved development and infrastructure contributions plans.

Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Policy documents

Consider as relevant:

- *Development Contributions Guidelines* (Department of Sustainability and Environment, 2003 -as amended 2007)
- *Infrastructure Contributions Plan Guidelines* (Department of Environment, Land, Water and Planning, November 2019)
- *Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans*
- *Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans*

19.03-2S Infrastructure design and provision

09/10/2020
VC169

Objective

To provide timely, efficient and cost-effective development infrastructure that meets the needs of the community.

Strategies

Provide an integrated approach to the planning and engineering design of new subdivision and development.

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.

19.03-2L Infrastructure design and provision

24/02/2022
C131hbay

Strategies

Ensure that development requiring new or upgraded infrastructure to specifically service the development contributes proportionately to the infrastructure items.

19.03-3S Integrated water management

04/02/2026
VC265

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 Integrated water management

24/02/2022
C131hbay

Strategies

Discourage land use and development that generate significant adverse impacts on local waterways and the local drainage system capacity.

Encourage the development of new urban areas and green spaces to take advantage of any opportunities for effluent recycling.

Support the use of treatment methods such as wetlands and litter traps for the control of urban runoff.

19.03-4S Telecommunications

04/11/2022
VC226

Objective

To facilitate the orderly development, extension and maintenance of telecommunications infrastructure.

Strategies

Facilitate the upgrading and maintenance of telecommunications facilities.

Ensure that modern telecommunications facilities are widely accessible and that the telecommunications needs of business, domestic, entertainment and community services are met.

Encourage the continued deployment of telecommunications facilities that are easily accessible by:

- Increasing and improving access for all sectors of the community to the telecommunications network.
- Supporting access to transport and other public corridors for the deployment of telecommunications networks in order to encourage infrastructure investment and reduce investor risk.

Ensure a balance between the provision of telecommunications facilities and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.

Co-locate telecommunications facilities wherever practical.

Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

19.03-4R Telecommunications - Metropolitan Melbourne

26/10/2018
VC154

Strategy

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

19.03-5S Waste and resource recovery

28/04/2026
VC232

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*)*

30 ZONES

19/01/2006
VC37

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

31 [NO CONTENT]

31/07/2018
VC148

32 RESIDENTIAL ZONES

19/01/2006
VC37

32.04 MIXED USE ZONE

31/07/2018
VC148

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

Purpose

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

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

32.04-1 Objectives

15/07/2013
VC100

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

32.04-2 Table of uses

14/01/2025
VC237

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.

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 Use for industry, service station and warehouse

31/07/2018
VC148

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

32.04-4 Subdivision

16/10/2025
VC288

Permit requirement

A permit is required to subdivide land.

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

Clause 56 requirement

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except clause 56.03-5.

Class of subdivision	Objectives and standards to be met
16 – 59 lots	All except clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except clauses 56.02-1, 56.03-1 to 56.03-4, 56.03-5 (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 *Building Act 1993*.	

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

24/09/2026
VC315

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 54.02-1 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.	Clause 54

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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.04-6 Construction and extension of a small second dwelling on a lot

24/09/2026
VC315

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 54.04-3 Overshadowing secluded open space	Clause 54

Class of application	Provision
▪ 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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.04-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

24/09/2026
VC315

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:

- 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.

Clauses 55 and 57 of this planning scheme, as in force immediately before the commencement of Amendment VC315, 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

Class of application	Provision
▪ 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

32.04-8 Requirements of clause 54, clause 55 and clause 57

16/04/2026
VC300

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 Residential aged care facility

14/12/2023
VC253

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.04-10 Buildings and works associated with a Section 2 use

20/04/2026
VC307

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: ▪ 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

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. 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 Buildings on lots that abut another residential zone

02/04/2025
VC276

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 Maximum building height requirement

14/12/2023
VC253

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 Application requirements

14/01/2025
VC237

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 Exemption from notice and review

16/04/2026
VC300

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 Decision guidelines

16/04/2026
VC300

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 Signs

14/12/2023
VC253

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

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

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

HOBSONS BAY MIXED USE AREAS

1.0 Objectives

10/09/2021
C126hbay

None specified.

2.0 Clause 54, Clause 55 and Clause 57 requirements

17/04/2026
VC308

	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 Maximum building height requirement

10/09/2021
C126hbay

None specified.

4.0 Exemption from notice and review

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

None specified.

6.0 Decision guidelines

10/09/2021
C126hbay

None specified.

7.0 Signs

10/09/2021
C126hbay

None specified.

11/02/2026
C133hbay

SCHEDULE 2 TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ2**.

NEWPORT NEIGHBOURHOOD ACTIVITY CENTRE

1.0 Objectives

11/02/2026
C133hbay

To support convenience retail, hospitality, office and civic uses that contribute to the neighbourhood centre.

To support uses that provide an appropriate transition to adjoining residential areas.

To provide a diverse range of housing with appropriate landscaping.

To provide active street frontages and visual connections with public spaces.

To ensure development responds to the scale and architectural features of heritage buildings and places.

2.0 Clause 54, Clause 55 and Clause 57 requirements

17/04/2026
VC308

	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 Maximum building height requirement

11/02/2026
C133hbay

None specified.

4.0 Exemption from notice and review

11/02/2026
C133hbay

None specified.

5.0 Application requirements

11/02/2026
C133hbay

The following application requirements apply to an application for a permit under Clause 32.04, in addition to those specified in Clause 32.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A Landscape Plan detailing existing vegetation, proposed retention and removal of vegetation, new planting and landscape works.

6.0 Decision guidelines

11/02/2026
C133hbay

None specified.

7.0 Signs

11/02/2026
C133hbay

None specified.

32.07 RESIDENTIAL GROWTH ZONE

31/07/2018
VC148

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

Purpose

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

To provide housing at increased densities in buildings up to and including four storey buildings.

To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.

To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.

To ensure residential development achieves design objectives specified in a schedule to this zone.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.07-1 Design objectives

27/03/2017
VC110

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

32.07-2 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. 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.

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	

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)

32.07-3 Subdivision

16/10/2025
VC288

Permit requirement

A permit is required to subdivide land.

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

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.

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 *Building Act 1993.*	Clause 59.11

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

24/09/2026
VC315

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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.07-5 Construction and extension of a small second dwelling on a lot

24/09/2026
VC315

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 54.02-5 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.	Clause 54

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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.07-6 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

24/09/2026
VC315

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 55.02-4 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

Class of application	Provision
▪ 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

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.

Clauses 55 and 57 of this planning scheme, as in force immediately before the commencement of Amendment VC315, 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 Requirements of clause 54, clause 55 and clause 57

16/04/2026
VC300

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 Residential aged care facility

14/12/2023
VC253

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.07-9 Buildings and works associated with a Section 2 use

20/04/2026
VC307

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

16/04/2026
VC300

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.
- 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 Buildings on lots that abut another residential zone

08/09/2025
VC282

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 Application requirements

16/04/2026
VC300

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 Exemption from notice and review

16/04/2026
VC300

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 Decision guidelines

16/04/2026
VC300

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 Signs

14/12/2023
VC253

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

24/02/2022
C131hbay

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

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

SUBSTANTIAL CHANGE AREAS

1.0 Design objectives

10/09/2021
C126hbay

None specified.

2.0 Requirements of Clause 54, Clause 55 and Clause 57

17/04/2026
VC308

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

26/04/2024
VC252

None specified.

4.0 Application requirements

10/09/2021
C126hbay

None specified.

5.0 Decision guidelines

10/09/2021
C126hbay

None specified.

09/02/2023
C114hbay

SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

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

PRECINCT 16 WEST

1.0 Design objectives

09/02/2023
C114hbay

To ensure development achieves site responsive architectural and urban design outcomes that provides a positive contribution to the character and amenity of the surrounding area.

To ensure acoustic attenuation measures are incorporated into the building design to protect the amenity of residents from potential noise and vibration impacts.

To ensure development incorporates residential amenity protection measures that display a high level of architectural resolution even if temporary in nature.

To ensure that building heights provide appropriate interface transitions.

To ensure that building heights consider and respond to the overshadowing effects in the site.

2.0 Requirements of Clause 54, Clause 55 and Clause 57

17/04/2026
VC308

	Standard	Requirement
Minimum street setback	A2-1	Walls of buildings are set back from a front street at least 3 metres. Side street setbacks as specified in the table to Standard A2-1 continue to apply.
	B2-1	Walls of buildings are set back from a front street at least 3 metres. Side street setbacks as specified in the table to Standard B2-1 continue to apply.
	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 Maximum building height requirement for a dwelling, small second dwelling or residential building

26/04/2024
VC252

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 22 metres and 6 storeys.

4.0 Application requirements

09/02/2023
C114hbay

An application to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority:

- A Town Planning Report that amongst other things includes an assessment of how the planning permit application is generally in accordance with the approved Development Plan.

- A Landscape Plan, detailing existing vegetation; proposed retention and removal of vegetation; new planting / landscape works; and any fencing or acoustic treatments required within the landscape areas of the site.
- A Transport Impact Assessment Report, detailing the existing and proposed transport arrangements taking into account the Access and transport Plan component of the Development Plan, clauses 52.06 and 52.34 and other relevant provisions of the scheme.
- A Sustainability Management Plan, unless the proposal relates to minor buildings and works.
- An Acoustic and Vibration Impact Report, detailing the proposed mitigation measures for the development taking into account the acoustic and vibration impacts component of the Development Plan.
- A Waste Management Plan.
- A report that outlines how the pipelines adjacent to the northern sub-precinct are responded to including details of a Pipeline Risk Assessment with relevant stakeholders.

5.0 Decision guidelines

09/02/2023
C114hbay

None specified.

11/02/2026
C133hbay

SCHEDULE 3 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as **RGZ3**

NEWPORT MEDIUM DENSITY RESIDENTIAL AREA

1.0 Design objectives

11/02/2026
C133hbay

To provide a diverse range of housing.

To ensure development is respectful to the lower scale of adjoining residential areas and contributory heritage buildings.

To ensure development responds to the built form setbacks of surrounding heritage places.

2.0 Requirements of Clause 54, Clause 55 and Clause 57

17/04/2026
VC308

	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 Maximum building height requirement for a dwelling or residential building

11/02/2026
C133hbay

None specified.

4.0 Application requirements

11/02/2026
C133hbay

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

- A Landscape Plan detailing existing vegetation, proposed retention and removal of vegetation, new planting and landscape works.

5.0 Decision guidelines

11/02/2026
C133hbay

None specified.

32.08 GENERAL RESIDENTIAL ZONE

31/03/2025
VC267

Shown on the planning scheme map as **GRZ**, **R1Z**, **R2Z** or **R3Z** with a number (if shown).

Purpose

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

To encourage development that is responsive to the neighbourhood character of the area.

To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.08-1 Neighbourhood character objectives

27/03/2017
VC110

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

32.08-2 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. 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.

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	

Use	Condition
Office (other than Medical centre)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Service station	The site must either: ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Cinema based entertainment facility
Domestic animal boarding
Extractive industry

Use
Horse husbandry
Industry (other than Automated collection point and Car wash)
Motor racing track
Nightclub
Saleyard
Small second dwelling – if the Section 1 condition is not met
Transport terminal
Warehouse (other than Store)

32.08-3 Subdivision

16/10/2025
VC288

Permit requirement

A permit is required to subdivide land.

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

Minimum garden area requirement

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

Clause 56 requirement

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except clause 56.03-5.
16 – 59 lots	All except clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except clauses 56.02-1, 56.03-1 to 56.03-4, 56.03-5 (unless the land is in the Neighbourhood Character Overlay), 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5 (only if the land is in the Neighbourhood Character Overlay), 56.04-2, 56.04-5, 56.06-8 and 56.07-4.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Subdivide land to realign the common boundary between two lots where: ▪ 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 *Building Act 1993.*	Clause 59.11

32.08-4 Construction or extension of a dwelling, small second dwelling or residential building

14/12/2023
VC253

Minimum garden area requirement

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling, small second dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling, small second dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

32.08-5 Construction and extension of one dwelling on a lot

24/09/2026
VC315

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

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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-6 Construction and extension of a small second dwelling on a lot

24/09/2026
VC315

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

Class of application	Provision
▪ 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 32.08-6, 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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

24/09/2026
VC315

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.

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.

Clause 55 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-8 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

A schedule to this zone may specify the requirements of:

- Standards A2-1, A2-5, A2-7 and A3-2 of Clause 54 of this scheme.
- Standards B2-1, B2-5, B2-8 and B3-5 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.08-9 Residential aged care facility

14/12/2023
VC253

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.08-10 Buildings and works associated with a Section 2 use

20/04/2026
VC307

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 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 32.08-10, 54 and 59.04 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.08-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

14/12/2023
VC253

A building must not be constructed for use as a dwelling, small second dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.08-12 Application requirements

16/04/2026
VC300

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 Exemption from notice and review

17/04/2026
VC308

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 Decision guidelines

16/04/2026
VC300

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 Signs

14/12/2023
VC253

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

32.08-16 Transitional provisions

14/12/2023
VC253

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

24/02/2022
C131hbay

SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

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

RESIDENTIAL AREAS

1.0 Neighbourhood character objectives

10/09/2021
C126hbay

None specified.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	None specified

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ2**.

RESIDENTIAL AREAS, ALTONA AND WILLIAMSTOWN

1.0 Neighbourhood character objectives

10/09/2021
C126hbay

None specified.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	None specified

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 3 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ3**.

GARDEN URBAN AREAS

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support visual separation between dwellings.

To provide front gardens that are visible from the street.

To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support front building façades that are well articulated.

To support garages and carports set back behind the dwelling façade.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 4 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ4.**

GARDEN URBAN AREAS, ALTONA

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support visual separation between dwellings.

To provide front gardens that are visible from the street.

To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support front building façades that are well articulated.

To support garages and carports set back behind the dwelling façade.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 5 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

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

INNER SUBURBAN AREAS

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To provide front gardens that are visible from the street.

To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support garages and carports set back behind the dwelling façade.

To support vehicle access from a rear laneway.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 6 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ6.**

URBAN CONTEMPORARY AREAS, MASON STREET NEWPORT

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support built form consistent with the siting and massing of surrounding development.

To provide front setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support development with habitable rooms that overlook the street.

To minimise the number of vehicle crossovers.

To support vertical or roof gardens.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 7 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ7**.

URBAN CONTEMPORARY AREAS, THE RANGE, WILLIAMSTOWN

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To provide front setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support built form consistent with the siting and massing of surrounding development.

To support development with habitable rooms that overlook the street.

To minimise the number of vehicle crossovers.

To support vertical or roof gardens.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 12 metres and three storeys.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 8 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ8.**

URBAN CONTEMPORARY AREAS WILLIAMSTOWN NORTH, LILEY STREET AND POWER STREET, WILLIAMSTOWN

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To provide front setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support built form consistent with the siting and massing of surrounding development.

To support development with habitable rooms that overlook the street.

To support vertical or roof gardens.

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

26/04/2024
VC252

Is the construction or extension of a dwelling, small second dwelling or residential building exempt from the minimum garden area requirement?
No

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

09/02/2023
C114hbay

SCHEDULE 10 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ10**.

PRECINCT 16 WEST

1.0 Neighbourhood character objectives

09/02/2023
C114hbay

To ensure development on the site is responsive to existing interfaces with established residential areas.

To ensure new development provides visual interest, articulation and positive address to public open space.

To encourage a high quality urban environment with landscaped front gardens accommodating canopy trees.

To ensure development responds to existing industrial areas by incorporating amenity protection measures that display a high level of architectural resolution, even if temporary in nature.

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

26/04/2024
VC252

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

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	A dwelling has an area of secluded private open space of 12 square metres with a minimum dimension of 2.4 metres. All other requirements in Standard A3-2 continue to apply, including alternate private open space provisions.
	B3-5	A dwelling or residential building has secluded private open space with direct access from a living area, dining area or kitchen consisting of: ▪ An area of 12 square metres with a minimum dimension of 2.4 metres; or ▪ An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or ▪ A balcony with at least the area and dimensions specified in Table B3.5; or ▪ An area on a roof-of at least 10 square metres, with a minimum dimension of 2 metres width. All other standards of B3-5 continue to apply.
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 Maximum building height requirement for a dwelling, small second dwelling or residential building

26/04/2024
VC252

None specified

5.0 Application requirements

26/04/2024
VC252

An application to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority:

- A Town Planning Report that amongst other things includes an assessment of how the planning permit application is generally in accordance with the approved Development Plan.
- A Landscape Plan, detailing existing vegetation; proposed retention and removal of vegetation; new planting / landscape works; and any fencing or acoustic treatments required within the landscape areas of the site.
- A Transport Impact Assessment Report, detailing the existing and proposed transport arrangements taking into account the Access and transport Plan component of the Development Plan, clauses 52.06 and 52.34 and other relevant provisions of the scheme.
- A Sustainability Management Plan, unless the proposal relates to minor buildings and works.
- An Acoustic and Vibration Impact Report, detailing the proposed mitigation measures for the development taking into account the acoustic and vibration impacts component of the Development Plan.
- A Waste Management Plan.
- A report that outlines how the pipelines adjacent to the northern sub-precinct are responded to including details of a Pipeline Risk Assessment with relevant stakeholders.

6.0 Decision guidelines

26/04/2024
VC252

None specified

32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

31/03/2025
VC267

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

Purpose

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

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development is responsive to the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

32.09-1 Neighbourhood character objectives

27/03/2017
VC110

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

32.09-2 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. 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.

Use	Condition
	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must not require a permit under Clause 52.06-3.
Racing dog husbandry	Must be no more than 2 animals.
Railway	
Residential aged care facility	
Rooming house	Must meet the requirements of Clause 52.23-2.
Small second dwelling	Must be no more than one dwelling existing on the lot. Must be the only small second dwelling on the lot. Reticulated natural gas must not be supplied to the building, or part of a building, used for the small second dwelling.
Tramway	
Any use listed in clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Accommodation (other than Community care accommodation, Dwelling, Residential aged care facility, Rooming house and Small second dwelling)	
Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)	
Car park	Must be used in conjunction with another use in Section 1 or 2.
Car wash	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience restaurant	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Convenience shop	The leasable floor area must not exceed 80 square metres.
Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met	Must be no more than 5 animals.
Food and drink premises (other than Convenience restaurant and Take away food premises)	
Grazing animal production	

Use	Condition
Leisure and recreation (other than Informal outdoor recreation and Motor racing track)	
Market	
Office (other than Medical centre)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)	
Plant nursery	
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)	The use must be associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
Service station	The site must either: ▪ Adjoin a commercial zone or industrial zone. ▪ Adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed either: ▪ 3000 square metres. ▪ 3600 square metres if it adjoins on two boundaries a road in a Transport Zone 2 or a Transport Zone 3.
Store	Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
Take away food premises	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 – Prohibited

Use
Amusement parlour
Animal production (other than Grazing animal production)
Animal training

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

32.09-3 Subdivision

16/10/2025
VC288

Permit requirement

A permit is required to subdivide land.

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

Minimum garden area requirement

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

Minimum lot size requirement

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

Clause 56 requirement

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except clause 56.03-5.
16 – 59 lots	All except clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except clauses 56.02-1, 56.03-1 to 56.03-4, 56.03-5 (unless the land is in the Neighbourhood Character Overlay), 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5 (only if the land is in the Neighbourhood Character Overlay), 56.04-2, 56.04-5, 56.06-8 and 56.07-4.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Subdivide land to realign the common boundary between two lots where: ▪ 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 *Building Act 1993*.	

32.09-4 Construction or extension of a dwelling, small second dwelling or residential building

14/12/2023
VC253

Minimum garden area requirement

An application to construct or extend a dwelling, small second dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

Lot size	Minimum percentage of a lot set aside as garden area
400 - 500 sqm	25%
Above 500 - 650 sqm	30%
Above 650 sqm	35%

This does not apply to:

- An application to construct or extend a dwelling, small second dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

32.09-5 Construction and extension of one dwelling on a lot

24/09/2026
VC315

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.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.09-6 Construction and extension of a small second dwelling on a lot

24/09/2026
VC315

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 54.02-5 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.	Clause 54

Transitional provisions

Clauses 32.09-6, 54 and 59.14 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.09-7 Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

24/09/2026
VC315

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.

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.

Clause 55 of this planning scheme, as in force immediately before the commencement of Amendment VC315, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.09-8 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

A schedule to this zone may specify the requirements of:

- Standards A2-1, A2-5, A2-7 and A3-2 of Clause 54 of this scheme.
- Standards B2-1, B2-5, B2-8 and B3-5 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.09-9 Residential aged care facility

15/03/2024
VC256

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.09-10 Buildings and works associated with a Section 2 use

20/04/2026
VC307

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: ▪ 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 32.09-10, 54 and 59.04 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

32.09-11 Maximum building height requirement for a dwelling, small second dwelling or residential building

14/12/2023
VC253

A building must not be constructed for use as a dwelling, small second dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.09-12 Application requirements

16/04/2026
VC300

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 Exemption from notice and review

16/04/2026
VC300

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 Decision guidelines

16/04/2026
VC300

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 Signs

14/12/2023
VC253

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

32.09-16 Transitional provisions

14/12/2023
VC253

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.

24/02/2022
C131hbay

SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

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

SPECIAL CHARACTER AREAS

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To preserve the characteristics of the neighbourhood, comprising intact post-war brick and weatherboard dwellings with established garden settings, generous front and side setbacks and low front fences.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	None specified

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

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

SPECIAL CHARACTER AREAS, ALTONA

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To preserve the characteristics of the neighbourhood, comprising intact post-war brick and weatherboard dwellings with established garden settings, generous front and side setbacks and low front fences.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	None specified

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 3 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ3**.

HERITAGE AREAS

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support development that contributes to the heritage place.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 4 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ4**.

HERITAGE AREAS, ALTONA AND WILLIAMSTOWN

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support development that contributes to the heritage place.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 5 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ5**.

GARDEN SUBURBAN AND GARDEN COURT AREAS

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support visual separation between dwellings.

To provide front gardens that are visible from the street.

To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable area.

To support garages and carports set back behind the dwelling façade.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 6 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ6**.

GARDEN SUBURBAN AND GARDEN COURT AREAS, ALTONA AND WILLIAMSTOWN

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support visual separation between dwellings.

To provide front gardens that are visible from the street.

To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support garages and carports set back behind the dwelling façade.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 7 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ7**.

INNER SUBURBAN AREAS, SPOTSWOOD

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To provide front gardens that are visible from the street.

To support driveways and hard surfaces that cover a minor proportion of the front setback.

To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support garages and carports set back behind the dwelling façade

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 8 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ8**.

WATERFRONT SUBURBAN AREAS

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To maintain the majority of front setbacks as permeable garden landscape visible from the street.

To support development and landscaping that responds to the characteristics of the coastal location.

To support development that incorporates elements that contribute to a lightness of structure, such as balconies, verandas or light transparent balustrading.

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

To set car parking structures behind the front walls of dwellings and minimise basement car parking.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 9 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ9**.

INNER SUBURBAN AREAS, 21-23 ANN STREET, WILLIAMSTOWN

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support the use of timber and other non-masonry materials.

To provide front gardens that are visible from the street.

To provide front and rear setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support garages and carports set back behind the dwelling façade.

To support vehicle access from a rear laneway.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

A building used as a dwelling, small second dwelling or a residential building must not exceed a height of 10 metres and two storeys.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

24/02/2022
C131hbay

SCHEDULE 10 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ10**.

URBAN CONTEMPORARY AREAS, NEWPORT

1.0 Neighbourhood character objectives

24/02/2022
C131hbay

To support built form consistent with the siting and massing of surrounding development.

To provide front setbacks that accommodate canopy trees and a high portion of permeable garden area.

To support development with habitable rooms that overlook the street.

2.0 Minimum subdivision area

24/02/2022
C131hbay

None specified.

3.0 Requirements of Clause 54 and Clause 55

08/09/2025
VC282

	Standard	Requirement
Minimum street setback	A2-1	None specified
	B2-1	None specified
Site coverage	A2-5	None specified
	B2-5	None specified
Private open space	A3-2	None specified
	B3-5	None specified
Front fence height	A2-7 and B2-8	A front fence within 3 metres of a street should not exceed: ▪ 1.5 metres in a Transport Zone 2. ▪ 1.2 metres in other streets.

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

26/04/2024
VC252

None specified.

5.0 Application requirements

26/04/2024
VC252

None specified.

6.0 Decision guidelines

26/04/2024
VC252

None specified.

33 INDUSTRIAL ZONES

19/01/2006
VC37

33.01 INDUSTRIAL 1 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **IN1Z**.

Purpose

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

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

33.01-1 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. 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.

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.

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	

Use	Condition
Education centre	Must not be a primary or secondary school.
Leisure and recreation (other than Informal outdoor recreation)	
Materials recycling	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Office	The leasable floor area must not exceed the amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)	
Restricted retail premises	
Retail premises (other than Shop and Take away food premises)	
Sex services premises	
Transfer station (other than Automated collection point and Container deposit scheme centre)	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Utility installation (other than Minor utility installation and Telecommunications facility).	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Hospital
Intensive animal production

Use
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Sex services premises)

33.01-2 Use of land

14/01/2025
VC237

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

33.01-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

- Interface with non-industrial areas.

33.01-4 Buildings and works

20/04/2026
VC307

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.

  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.01-5 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 2.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

1.0 Maximum leasable floor area requirements

10/09/2021
C126hbay

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

33.03 INDUSTRIAL 3 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **IN3Z**.

Purpose

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

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

33.03-1 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Convenience shop	
Crop raising	
Grazing animal production	
Home based business	
Informal outdoor recreation	
Mail centre	
Railway	
Service industry	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022.

Use	Condition
	▪ 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.
Service station	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)	Must adjoin, or be on the same lot as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3.
Supermarket	The leasable floor area must not exceed 1800 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3. Must be on land within an urban growth boundary and in metropolitan Melbourne.
Take away food premises	
Tramway	
Warehouse (other than Fuel depot, Mail centre or Shipping container storage)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.

Use	Condition
	Must not adversely affect the amenity of the neighbourhood, including through the: ▪ Transport of materials, goods or commodities to or from the land. ▪ Appearance of any stored goods or materials. ▪ Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)	
Caretaker's house	
Education centre	Must not be a primary or secondary school.
Industry (other than Automated collection point and Service industry)	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)	
Office	The leasable floor area must not exceed the amount specified in the schedule to this zone.
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)	
Restricted retail premises	
Retail premises (other than Shop and Take away food premises)	
Sex services premises - if the Section 1 conditions for a shop are not met	

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)
Cinema based entertainment facility
Hospital
Intensive animal production
Major sports and recreation facility
Motor racing track
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises, Sex services premises and Supermarket) – if the Section 1 conditions are not met
Supermarket – if the section 1 conditions are not met

33.03-2 Use of land

14/01/2025
VC237

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.

- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 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.
- The effect on nearby industries.

33.03-3 Subdivision

31/07/2018
VC148

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

33.03-4 Buildings and works

20/04/2026
VC307

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.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

33.03-5 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 2.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

1.0 Maximum leasable floor area requirements

10/09/2021
C126hbay

Land	Maximum leasable floor area for Office (square metres)
None specified	None specified

34 COMMERCIAL ZONES

15/07/2013
VC100

34.01 COMMERCIAL 1 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **B1Z**, **B2Z**, **B5Z** or **C1Z**.

Purpose

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

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation

A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:

- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises).

34.01-1 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Accommodation (other than Community care accommodation, Corrective institution, Rooming house and Small second dwelling)	Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).
Art and craft centre	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. 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	

Use	Condition
Office	The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.
Place of worship	The gross floor area of all buildings must not exceed 250 square metres.
Railway	
Retail premises (other than Shop)	
Rooming house	Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.23-2.
Shop (other than Adult sex product shop)	The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Animal production and Apiculture)	
Container deposit scheme centre	
Grazing animal production	
Industry (other than Automated collection point and Container deposit scheme centre)	Must not be a purpose listed in the table to Clause 53.10.
Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)	
Utility installation (other than Minor utility installation and Telecommunications facility)	Must not be a purpose listed in the table to Clause 53.10.
Warehouse	Must not be a purpose listed in the table to Clause 53.10.

Use	Condition
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Animal production (other than Grazing animal production)
Corrective institution
Major sports and recreation facility
Motor racing track
Small second dwelling

34.01-2 Use of land

15/07/2013
VC100

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.01-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if:	Clause 59.02

Class of application	Information requirements and decision guidelines
▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	

34.01-4 Buildings and works

20/04/2026
VC307

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: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for an Adult sex product shop.	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.01-5 Site description and design response

08/09/2025
VC282

An application for any of the following must be accompanied by a site description and a design response as described in Clause 54.01, 55.01 or 57.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.

34.01-6 Application requirements

14/01/2025
VC237

Use

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

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.

- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

34.01-7 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.01-8 Decision guidelines

08/09/2025
VC282

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Subdivision

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.

- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Housing Choice and Transport Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54, Clause 55 and Clause 57. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clauses 55 and 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 55 of this planning scheme, as in force immediately before the approval date of Amendment VC267, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 54 of this planning scheme, as in force immediately before the commencement of Amendment VC282, continue to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

34.01-9 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 1.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

1.0 Maximum leasable floor area requirements

10/09/2021
C126hbay

Land	Maximum leasable floor area for Office (square metres)	Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)
None specified	None specified	None specified

34.02 COMMERCIAL 2 ZONE

31/07/2018
VC148

Shown on the planning scheme map as **B3Z**, **B4Z** or **C2Z**.

Purpose

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

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

34.02-1 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Art and craft centre	
Art gallery	
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Cinema	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Cinema based entertainment facility	The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Food and drink premises	The leasable floor area must not exceed 100 square metres.
Industry (other than Materials recycling and Transfer station)	Must not be a purpose listed in the table to Clause 53.10 with no threshold specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.
Informal outdoor recreation	

Use	Condition
Mail centre	
Museum	
Office	
Postal agency	
Railway	
Restricted retail premises	
Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)	Must adjoin, or be on the same land as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Supermarket	The leasable floor area must not exceed 1800 square metres. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.
Trade supplies	
Tramway	
Warehouse (other than Mail centre)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022. ▪ Require a notification under the Occupational Health and Safety Regulations 2017. ▪ Require a licence under the Dangerous Goods (Explosives) Regulations 2011. ▪ Require a licence under the Dangerous Goods (HCDG) Regulations 2016.

Use	Condition
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex product shop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Agriculture (other than Animal production and Apiculture)	
Caretaker's house	
Container deposit scheme centre	
Education centre	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)	
Materials recycling	
Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)	
Residential hotel	
Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)	
Supermarket – if the Section 1 conditions are not met	The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne. The site must adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Transfer station (other than Automated collection point and Container deposit scheme centre)	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

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

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house and Residential hotel)
Animal production (other than Grazing animal production)
Hospital
Major sports and recreation facility
Motor racing track

34.02-2 Use of land

15/07/2013
VC100

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

34.02-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02

Class of application	Information requirements and decision guidelines
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

34.02-4 Buildings and works

20/04/2026
VC307

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: ▪ Within 30 metres of land (not a road) which is in a residential zone. ▪ Used for a purpose listed in the table to Clause 53.10. ▪ Used for an Adult sex product shop.	Clause 59.04

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

34.02-5 Application requirements

14/01/2025
VC237

Use

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

- The purpose of the use and the types of activities which will be carried out.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2022 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Building and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

34.02-6 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

34.02-7 Decision guidelines

31/07/2018
VC148

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The interface with adjoining zones, especially the relationship with residential areas.

Use

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

Subdivision

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

Building and works

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

34.02-8 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 1.

36 PUBLIC LAND ZONES

19/01/2006
VC37

36.01 PUBLIC USE ZONE

31/07/2018
VC148

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

Purpose

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

To recognise public land use for public utility and community services and facilities.

To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

36.01-1 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Railway	
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.

Section 2 - Permit required

Use	Condition

Section 3 - Prohibited

Use
Nil

36.01-2 Permit requirement

19/01/2006
VC37

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.01-3 Application requirements

19/01/2006
VC37

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

36.01-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.01-5 Permit not required

19/01/2006
VC37

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

36.01-6 Table of public land use

14/01/2025
VC237

Shown on the planning scheme map	Purpose of public land use
PUZ1	Service & Utility
PUZ2	Education
PUZ3	Health & Community
PUZ5	Cemetery/Crematorium
PUZ6	Local Government
PUZ7	Other public use

36.01-7 Signs

20/01/2022
VC205

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

Where a Transport Zone 2 or a Transport Zone 3 is the nearest adjoining zone, a permit is required to display a sign.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

1.0 Permit exemptions and conditions

10/09/2021
C126hbay

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

2.0 Sign requirements

10/09/2021
C126hbay

Land	Sign Category
Scienceworks Museum, 2-18, Booker Street, Spotswood	Category 1

36.02 PUBLIC PARK AND RECREATION ZONE

31/07/2018
VC148

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

Purpose

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

To recognise areas for public recreation and open space.

To protect and conserve areas of significance where appropriate.

To provide for commercial uses where appropriate.

36.02-1 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Informal outdoor recreation	
Open sports ground	Must be conducted by or on behalf of the public land manager. Must not be on coastal Crown land under the *Marine and Coastal Act 2018*.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Contractor's depot **Heliport** **Office** **Retail premises** **Store** **Any other use not in Section 3**	Must be either of the following: A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *Local Government Act 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*. A use specified in an Incorporated plan in a schedule to this zone.

Section 2 - Permit required

Use	Condition
Contractor's depot - if the Section 1 condition is not met	Must be associated with the public land use.
Heliport - if the Section 1 condition is not met	Must be associated with the public land use.
Office - if the Section 1 condition is not met	Must be associated with the public land use.
Retail premises - if the Section 1 condition is not met	Must be associated with the public land use.

Use	Condition
Store - if the Section 1 condition is not met	Must be associated with the public land use.

Section 3 - Prohibited

Use
Cinema based entertainment facility
Corrective institution
Display home centre
Funeral parlour
Industry (other than Automated collection point)
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

36.02-2 Permit requirement

14/01/2025
VC237

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forest Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978*.
- Subdivide land.

36.02-3 Application requirements

19/01/2006
VC37

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.

- To the application for permit being made and to the proposed use or development.

36.02-4 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

36.02-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.02-6 Incorporated plan

19/01/2006
VC37

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

36.02-7 Use and development of land identified in a schedule

19/01/2006
VC37

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.02-8 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0 Permit exemptions and conditions

10/09/2021
C126hbay

Public land	Use or development	Conditions
Point Gellibrand Coastal Heritage Park.	Any use or development described in the Point Gellibrand Coastal Heritage Park Master Plan - Revised July 2003.	Must be in accordance with the Point Gellibrand Coastal Heritage Park Master Plan - Revised July 2003.

2.0 Sign requirements

10/09/2021
C126hbay

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

10/09/2021
C126hbay

None specified.

36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

31/07/2018
VC148

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

Purpose

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

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

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

To provide for appropriate resource based uses.

36.03-1 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Apiculture	Must meet the requirements of the Apiary Code of Practice, May 2011.
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Boat launching facility **Camping and caravan park** **Caretaker's house** **Car park** **Informal outdoor recreation** **Interpretation centre** **Jetty** **Kiosk** **Marine dredging** **Mooring pole** **Open sports ground** **Pier** **Pontoon** **Road** **Utility installation (other than Telecommunications facility)**	Must be either of the following: ▪ A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *Local Government Act 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*. ▪ Specified in an Incorporated plan in a schedule to this zone.
Any use listed in Clause 62.01 (other than Apiculture)	

Use	Condition
Any other use not in Section 2 or 3	▪ Must be a use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978*.

Section 2 - Permit required

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

Section 3 - Prohibited

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

36.03-2 Permit requirement

14/01/2025
VC237

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978*.
  - A building or works carried out by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the

Wildlife Act 1975, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995,* the *Crown Land (Reserves) Act 1978*, or the *Road Management Act 2004*.

- Subdivide land.

36.03-3 Application requirements

20/03/2023
VC229

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.

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

36.03-4 Exemption from notice and review

31/07/2018
VC148

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

36.03-5 Referral of applications

18/06/2010
VC62

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

36.03-6 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.03-7 Incorporated plan

18/06/2010
VC62

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.

- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

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

18/06/2010
VC62

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

36.03-9 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

1.0 Permit exemptions and conditions

10/09/2021
C126hbay

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

2.0 Sign requirements

10/09/2021
C126hbay

Land	Sign Category
None specified	None specified

3.0 Use and development of land specified in an Incorporated Plan

10/09/2021
C126hbay

None specified.

36.04 TRANSPORT ZONE

20/01/2022
VC205

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

Purpose

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

To provide for an integrated and sustainable transport system.

To identify transport land use and land required for transport services and facilities.

To provide for the use and development of land that complements, or is consistent with, the transport system or public land reservation.

To ensure the efficient and safe use of transport infrastructure and land comprising the transport system.

36.04-1 Table of uses

15/03/2024
VC256

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Railway	
Railway station	The combined leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 800 square metres.
Tramway	
Transport terminal (other than Railway station)	The use must be carried out by or on behalf of a relevant transport manager.
Utility installation (other than Minor utility installation and Telecommunications facility)	The use must be carried out by or on behalf of a relevant transport manager.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.
Any other use	The use must be for a transport purpose and carried out by or on behalf of a relevant transport manager.

Section 2 - Permit required

Use	Condition

Section 3 - Prohibited

Use
Nil

36.04-2 Permit requirement

20/01/2022
VC205

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.04-1. This does not apply to navigational beacons and aids.
- Subdivide land.

36.04-3 Application requirements

20/01/2022
VC205

An application by a person other than a relevant transport manager on land shown on a planning scheme map as TRZ1 or TRZ2 must be accompanied by the written consent of the Head, Transport for Victoria, indicating that the Head, Transport for Victoria consents generally or conditionally to either:

- The application being made.
- The application being made and to the proposed use or development.

36.04-4 Table of transport uses

20/01/2022
VC205

Shown on the planning scheme map	Purpose of transport use
TRZ1	State transport infrastructure
TRZ2	Principal road network
TRZ3	Significant municipal road
TRZ4	Other transport use

36.04-5 Decision guidelines

20/01/2022
VC205

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the development, operation and safety of the transport system.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.04-6 Signs

12/02/2024
VC254

Sign requirements are at Clause 52.05.

A permit is required to construct or put up for display a sign:

- over a road carriageway or over land within 600 millimetres of a carriageway.
- on land in a Transport Zone 1, if a Transport Zone 2 or Transport Zone 3 is the adjoining zone.

For all other land in this zone, the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

37 SPECIAL PURPOSE ZONES

19/01/2006
VC37

37.01 SPECIAL USE ZONE

31/07/2018
VC148

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

Purpose

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

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

37.01-1 Table of uses

19/01/2006
VC37

Section 1 - Permit not required

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone

Section 2 - Permit required

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.
Any other use not in Section 1 or 3 of the schedule to this zone	

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

37.01-2 Use of land

31/07/2018
VC148

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

37.01-3 Subdivision

14/12/2023
VC253

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: ▪ The area of either lot is reduced by less than 15 percent. ▪ The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: ▪ The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. ▪ An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: ▪ The construction of a building or the construction or carrying out of works on the land: – Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	Clause 59.02

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

37.01-4 Buildings and works

20/04/2026
VC307

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $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.	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clause 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

37.01-5 Signs

31/07/2018
VC148

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

10/09/2021
C126hbay

SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

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

PRIVATE SPORTSGROUNDS & COMMUNITY ESTABLISHMENTS

Purpose

To provide for areas in private ownership to be used as private sports grounds and/or religious and educational establishments.

1.0
01/12/2023
VC217

Table of uses

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Caretaker's house	
Education centre	Must not be at 23-31 Blenheim Road Newport
Home based business **Mineral exploration**	
Mining	Must meet the requirements of Clause 52.08-2
Minor sports and recreation facility **Place of worship**	Must not be at 23-31 Blenheim Road Newport
Rail	
Search for stone	Must not be costeaning or bulk sampling.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park **Major sports and recreation facility** **Minor utility installation** **Place of assembly (other than Amusement parlour and Place of worship)**	
Residential building	Must not be at 272-298 Millers Road, Altona North or 23-31 Blenheim Road, Newport
Retirement village	Must not be at 23-31 Blenheim Road, Newport
Any other use not in sections 1 or 3 of the schedule to this zone.	

Section 3 - Prohibited

Use
Accommodation (other than Caretakers house, Residential building and Retirement village)
Amusement parlour
Cemetery
Crematorium
Extractive industry
Industry (other than Automated collection point and Car wash)
Intensive animal husbandry
Motor racing track
Office with a floor area exceeding 500m^2 (other than a Medical centre)
Saleyard
Service station
Retail premises (other than Market, Convenience restaurant, Restaurant and Plant nursery)
Transport terminal
Utility installation (other than Minor utility installation)
Warehouse (other than Store)

2.0 Use of land

10/09/2021
C126hbay

None specified.

3.0 Subdivision

10/09/2021
C126hbay

Exemptions

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

4.0 Buildings and works

10/09/2021
C126hbay

Application requirements

The following application requirements apply to an application for a permit to construct a building or construct or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings, and works.
  - Driveways and vehicle parking and loading areas.

  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Exemptions

An application to construct a building or construct or carry out works for a use in Section 1 is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

Decision guidelines

The following decision guidelines apply to an application for a permit to construct a building or construct or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy, the Planning Policy Framework and local planning policies.
- The effect of the proposed buildings and works on the amenity of the neighbourhood.
- The provision of landscaping.
- Parking and site access.

5.0 Signs

10/09/2021
C126hbay

None specified.

10/09/2021
C126hbay

SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ2.**

PETROLEUM REFINERY AREA

Purpose

To provide for the operation and modernisation of the petroleum refining industry in a manner that does not affect the safety and amenity of nearby residential areas.

To provide for the orderly and proper development of the area and for adequate landscaping to reduce the visual impact of the refinery.

1.0 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Car park	
Industry (other than Automated collection point)	Must be a petroleum refinery in accordance with Clause 2.0 of this schedule.
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Railway	
Search for stone	Must not be costeaning or bulk sampling
Service station	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Mail centre	
Utility installation (other than Minor utility installation)	
Animal keeping **Intensive animal husbandry**	Must meet the requirements listed in the Code of Practice for the Welfare of Horses

Section 3 - Prohibited

Use
Dry cleaner

Use
Laundromat
Rural industry
Any use not in Section 1 or 2

2.0 Use of land

10/09/2021
C126hbay

For the purpose of this schedule a petroleum refinery is defined as an industry using plant, equipment and facilities for the conversion of crude oil and other feed stocks into finished and intermediate petroleum products and by-products. This includes facilities for the receipt of crude oil and other feed stocks, facilities for the storage of crude oils, intermediate and finished products and by-products, pumping, pipeline and distribution facilities, units for the removal and control of impurities and by-products, waste treatment facilities, utilities including steam raising and electrical generating equipment, control rooms, laboratories, research facilities, administration, warehousing, maintenance, training and amenity buildings and facilities and other associated works.

Land may be used as a petroleum refinery provided that the land south of Kororoit Creek Road and to the west of the 3 metre contour (Australian Height Datum) is maintained as a conservation area to the satisfaction of the responsible authority.

The use of the land for a petroleum refinery is exempt from the standard and reduced parking requirements of Clause 52.06 if parking is provided on the site to the satisfaction of the responsible authority.

Application requirements

The following application requirements apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- 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

The following decision guidelines apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy, the Planning Policy Framework and local planning policies.

- 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.

3.0 Subdivision

10/09/2021
C126hbay

Exemptions

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

The following decision guidelines apply to an application for a permit to subdivide land under Clause 37.01, in addition to those Specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy, the Planning Policy Framework and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.
- Whether the development would prejudice the continued operation of the petroleum refinery.

4.0 Buildings and works

10/09/2021
C126hbay

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:

- Provide or alter plumbing and electrical services.
- Involve the minor rearrangement of car parking areas and landscaping provided that these areas are not diminished.
- Rearrange, alter or renew plant if the areas of plant external to existing buildings is not increased.
- Are a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, car parking, loading or landscaping areas.
- Any works carried out by a public authority or a municipal council in association with the development of new plant or buildings.
- Comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

Application requirements

The following application requirements apply to an application for a permit to construct a building or construct or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area. The layout is to include landscape buffers along Millers Road and Kororoit Creek Road frontages and all other boundaries of the refinery.
- The type of use and the process to be employed.
- Dust control, drainage and maintenance of areas not required for immediate use.
- The type and quantity of goods to be stored and whether a licence is required under the Dangerous Goods Act 1985.

Exemptions

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

The following decision guidelines apply to an application for a permit to construct a building or construct or carry out works under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy, the Planning Policy Framework and local planning policies.
- The views of the Environment Protection Authority, the Department of Natural Resources and Environment and the Minister administering the Dangerous Goods Act.
- The adequacy of information supplied on the type of use and the processes to be employed.
- Drainage of the land
- The views of a relevant waterway management authority constituted under the Water Act 1989 or any other Act about any proposed development within the flood plain of the Kororoit Creek.
- Availability of services.
- Effect of traffic on surrounding roads.

- Layout of the site and design of buildings including methods of minimising the visual impact of the refinery on:
  - nearby residential areas.
  - Kororoit Creek Road.
  - Millers Road.
  - Kororoit Creek.
  - Altona Coastal Park.
  - Cherry Lake.
- Layout of the site and design of buildings including:
  - The relationship of the buildings and works to the street and adjoining properties.
  - The set backs from Millers Road and Kororoit Creek Road.
- Access and egress, car parking, access roads and loading bay layout.

5.0 Signs

10/09/2021
C126hbay

This zone is in Category 2.

17/02/2026
C146hbay

SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

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

ALTONA STATE SIGNIFICANT INDUSTRIAL AREA

Purpose

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.

To ensure that contaminated and potentially contaminated land is or will be made suitable for its use.

1.0 Table of uses

17/02/2026
C146hbay

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.
Home based business	
Industry (other than Materials recycling and Transfer station)	Must not be located on former petrochemical land as identified on Map 1. 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.

Use	Condition
	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.
Mail centre	Must not be located on former petrochemical land as identified on Map 1.
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 located on former petrochemical land as identified on Map 1. 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:

Use	Condition
	▪ 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.
Tramway	
Warehouse (other than Mail centre and Shipping container storage)	Must not be located on former petrochemical land as identified on Map 1. 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:

Use	Condition
	▪ 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, Intensive animal production, Pig farm and Poultry farm)	
Caretaker's house	
Container deposit scheme centre	
Convenience shop	
Employment training centre	
Leisure and recreation	
Materials recycling	The land must be at least 30 metres from land (not a road) which is in a 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 Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

Use	Condition
Office	
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)	
Research centre	
Restricted retail premises	
Retail premises (other than Shop)	
Sex services premises	
Tertiary institution	
Transfer station (other than Automated collection point and Container deposit scheme centre)	The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre, a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Utility installation (other than Minor utility installation and Telecommunications facility)	Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Education centre (other than Employment training centre and Tertiary institution)
Hospital
Intensive animal production
Pig farm
Poultry farm
Rural industry
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Sex services premises)

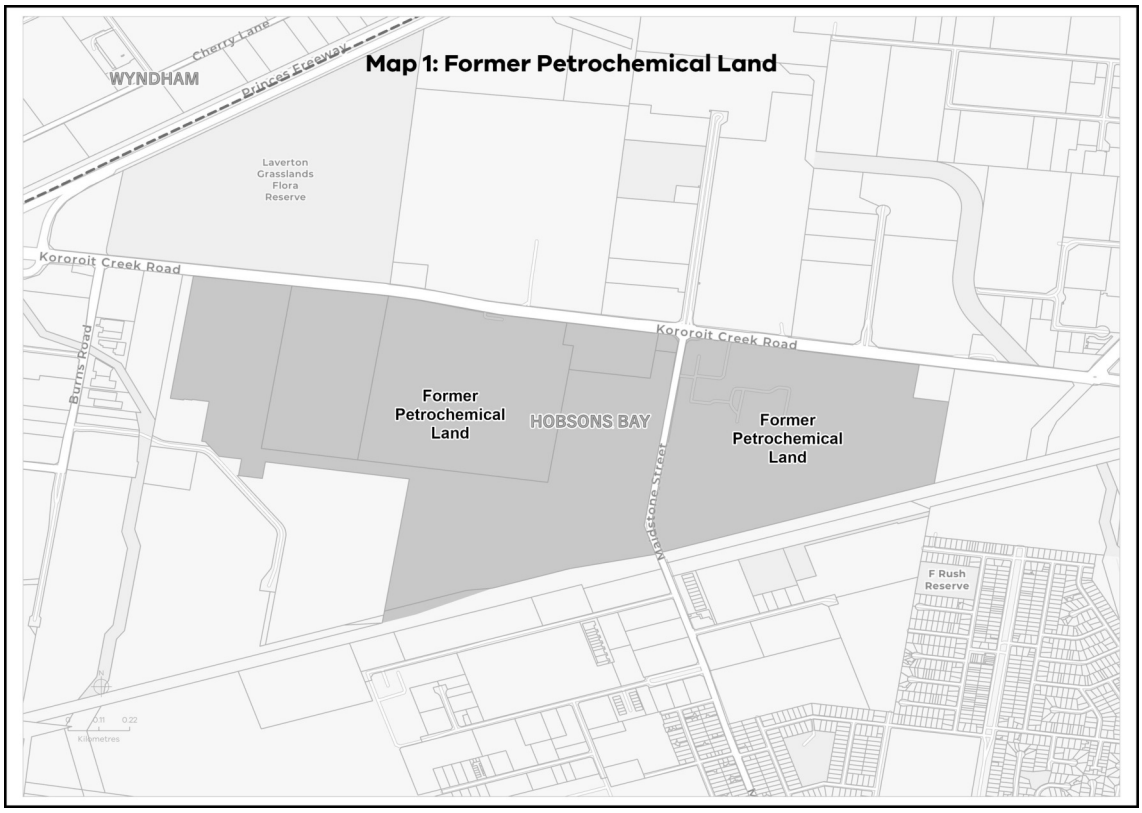
2.0 Use of land

17/02/2026
C146hbay

Former petrochemical land

Before an Agriculture, Industry, Leisure and recreation, Office, Retail premises or Warehouse use commences on land identified as former petrochemical land on Map 1, the responsible authority must be satisfied that the environmental conditions of the land are suitable or will be made suitable for the use.

Map 1: Former petrochemical land



Use of unserviced subdivision, Merton Street

Land bounded by Merton Street, Harcourt Road, Danglow Avenue and Government Road must not be used or developed for any purpose other than agriculture unless the land is both:

- Connected to a reticulated water supply, a reticulated sewerage system and a reticulated drainage system to the satisfaction of the responsible authority and the relevant water supply, sewerage and drainage authority.
- Comprised of a lot of at least two hectares.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application to use land identified as former petrochemical land on Map 1 for Agriculture, Industry, Leisure and recreation, Office, Retail premises or Warehouse must be accompanied by a Preliminary Site Investigation (PSI) prepared by a suitably qualified environmental consultant in accordance with the National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, 1999). The PSI must make a recommendation as to:

  - The likelihood of contamination and its potential to affect the proposal.
  - Whether further investigation and assessment is required, including an environmental audit under Part 8.3 of the *Environment Protection Act 2017*.
- An application to use land for an industry or warehouse:
  - 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

The following decision guidelines apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of the Department of Energy, Environment and Climate Action about any proposal to use land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

3.0 Subdivision

17/02/2026
C146hbay

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the 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 education centre.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.
- The protection of the natural features of the area, including grass lands, wetlands and areas of significant habitat on/or adjacent to the area.
- The views of the Department of Energy, Environment and Climate Action about any proposal to subdivide land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

4.0 Buildings and works

17/02/2026
C146hbay

Permit requirement

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

No permit is required to construct a building or construct or carry out works for the following:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- 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.

Former petrochemical land

Before construction of a building or construction or carrying out of works associated with the new or existing use for Agriculture, Industry, Leisure and recreation, Office, Retail premises or Warehouse commences on land identified as former petrochemical land on Map 1, the responsible authority must be satisfied that the environmental conditions of the land are suitable or will be made suitable for the development and use.

Layout guidelines

The following guidelines for the layout of buildings, works and landscape areas are to be met to the satisfaction of the responsible authority.

- All buildings are to be set back at least 20 metres from a boundary to a Public Conservation and Resource Zone containing native grass land. The setback may accommodate car parking areas, roads and services provided it is demonstrated that the siting and design of buildings achieve adequate landscaped screening and minimise overshadowing of the grass land.
- Landscaping areas should be provided in the areas below and should be exclusively for landscaping and comprise small shrubs, grasses and ground covers (from the list recommended by the Department of Energy, Environment and Climate Action and indigenous to the area) to minimise overshadowing of the grass land:
  - Within 4 metres of the boundary to a Public Conservation and Resource Zone containing native grass land.
  - Within 10 metres of the Geelong-Melbourne railway.
  - Within 50 metres of the bank of Kororoit Creek.
  - Within 50 metres of the banks of Cherrys Creek and Kayes Drain the combination of buildings, works and landscaping should complement the watercourses to achieve the net landscape effect appropriate to the site, to the scope of development and to the precinct, and to achieve a high quality design result.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application to construct a building or construct or carry out works on land identified as former petrochemical land on Map 1 and associated with the new or existing use for Agriculture, Industry, Leisure and recreation, Office, Retail premises or Warehouse must be accompanied by a Preliminary Site Investigation (PSI) prepared by a suitably qualified environmental consultant in accordance with the National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, 1999). The PSI must make a recommendation as to:
  - The likelihood of contamination and its potential to affect the proposal.
  - Whether further investigation and assessment is required, including an environmental audit under Part 8.3 of the *Environment Protection Act 2017*.
- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings, and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. 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 Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The purpose of the zone.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The views of the Environment Protection Authority.
- The impact of surface water run-off on to adjoining land containing native grass land.
- Whether the development presents an attractive landscaped setting particularly in relation to the treatment of street frontages.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of Melbourne Water Corporation about any proposal for buildings or works within 20 metres of Cherrys Creek or Kayes Drain.
- The views of the Department of Energy, Environment and Climate Action about any proposal for buildings or works on land immediately adjoining a Public Conservation and Resource Zone containing native grass land.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

5.0 Signs

17/02/2026
C146hbay

Sign requirements are at Clause 52.05. This zone is in Category 2.

17/02/2026
C146hbay

SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ4**.

ALTONA STATE SIGNIFICANT INDUSTRIAL AREA - BUFFER TO RESIDENTIAL AREA

Purpose

To provide for industries and associated uses in a specific area where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Special Use Zone 3 and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

1.0 Table of uses

17/02/2026
C146hbay

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.
Home based business	
Mail centre	
Railway	
Service industry	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table to Clause 53.10. Must not: ▪ Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 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.

Use	Condition
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, education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, education centre or a corrective institution.
Tramway	
Warehouse (other than Fuel depot, Mail centre or Shipping container storage)	Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution: ▪ The threshold distance, for a purpose listed in the table to Clause 53.10. ▪ 30 metres, for a purpose not listed in the table at 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 Intensive animal production, Pig farm and Poultry farm)	
Caretaker's house	
Convenience shop	

Use	Condition
Employment training centre	
Industry (other than Automated collection point and Service industry)	
Leisure and recreation (other than Major sports and recreation facility and Motor racing track)	
Office	
Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)	
Restricted retail premises	
Retail premises (other than Shop)	
Sex services premises	
Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises, Sex services premises and Supermarket)	Must adjoin, or be on the same lot as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3.
Supermarket	The leasable floor area must not exceed 1800 square metres. The site must adjoin, or be within 30 metres of, a road in a Transport Zone 2 or a Transport Zone 3.
Tertiary 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 a residential zone or Commercial 1 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Caretaker's house)
Cinema based entertainment facility
Education centre (other than Employment training centre and Tertiary institution)
Hospital

Use
Intensive animal husbandry
Major sports and recreation facility
Motor racing track
Pig farm
Poultry farm

2.0
17/02/2026
C146hbay

Use of land

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An application to use land for an industry or warehouse:
  - 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

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

3.0 Subdivision

17/02/2026
C146hbay

Exemption from notice and review

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the 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 Commercial 1 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

4.0 Buildings and works

17/02/2026
C146hbay

Permit requirement

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

No permit is required to construct a building or construct or carry out works for the following:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- 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.

Application requirements

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings, and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.
- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

Layout guidelines

The following guidelines for the layout of buildings, works and landscape areas are to be met to the satisfaction of the responsible authority:

- Landscaping areas should be provided in the areas below and should be exclusively for landscaping and comprise small shrubs, grasses and ground covers (from the list recommended by the Department of Energy, Environment and Climate Action and indigenous to the area) to minimise overshadowing of the grass land:
  - Within 10 metres of the Geelong-Melbourne railway and the Laverton-Altona railway.
  - Within 50 metres of a boundary of the Public Use Zone containing Cherry Lake and the Truganina Swamp.
  - Within 50 metres of the banks of Cherrys Creek and Kayes Drain the combination of buildings, works and landscaping should complement the watercourses to achieve the net landscape effect appropriate to the site, to the scope of development and to the precinct and to achieve a high quality design result.
  - Within 30 metres of a boundary to a residential zone.
- For land with a boundary with a residential zone, at least 30 percent of each site is to be developed as a landscape amenity area which may contain car parking areas, spur lines to railway sidings, roads and services provided they are adequately screened from adjoining land.

Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. 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 Commercial 1 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The impact of surface water run-off on to adjoining land containing native grass land.
- Whether the development presents an attractive landscaped setting particularly in relation to the treatment of street frontages.
- The effect on the amenity of any nearby Public Park and Recreation Zones, Public Conservation and Resource Zones, Public Use Zones or Urban Floodway Zones.
- The views of Melbourne Water Corporation about any proposal for buildings or works within 20 metres of Cherrys Creek or Kayes Drain.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

6.0 Signs

17/02/2026
C146hbay

Sign requirements are at Clause 52.05. This zone is in Category 2.

10/09/2021
C126hbay

SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

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

MARINE ENGINEERING AREA

Purpose

To recognise the importance of the Port of Melbourne and its environs as a focus for major marine industrial development.

To support the special importance of shipbuilding operations and its contribution to State economic development and employment.

To provide for development which protects the amenity, safety and character of nearby areas.

1.0 Table of uses

01/12/2023
VC217

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Caretaker's house **Car park**	
Education centre **Group accommodation**	
Industry (other than Automated collection point, Motor repairs and Rural industry)	Must be located on land north of Nelson Place and Nelson Place Extension
Marine engineering	Must be Marine engineering in accordance with the definition included at Clause 2.0
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2.
Office (other than Bank)	
Search for stone	Must not be costeaning or bulk sampling
Warehouse (other than Fuel depot or Milk depot)	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Accommodation (other than Group accommodation or Caretaker's house)
Animal husbandry
Bank
Cemetery
Crematorium
Extractive industry
Fuel depot
Hospital
Landscape gardening supplies
Market
Milk depot
Motor repairs
Motor racing track
Manufacturing sales
Motor vehicle, boat, or caravan sales
Nightclub
Outdoor recreation facility
Place of worship
Primary produce sales
Restaurant
Rural industry
Shop
Trade supplies
Veterinary centre

Definition of terms

For the purpose of this schedule, marine engineering includes ship building, ship repair and maintenance; oil and gas construction; fabrication, electrical and other trades; systems engineering; systems operation; integrated logistics; engineering design; training and education and associated accommodation; research and new technologies; supply and warehousing and ancillary activities.

2.0 Use of land

10/09/2021
C126hbay

Application requirements

The following application requirements apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a licence under the Dangerous Goods Act 1985 is required.
- 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

The following decision guidelines apply to an application for a permit to use land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy, the Planning Policy Framework and local planning policies.
- 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.

3.0 Subdivision

10/09/2021
C126hbay

Permit requirement

A permit is required to subdivide land.

The responsible authority may consider the views and comments of the relevant municipal council.

Exemptions

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or Business 5 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

Decision guidelines

The following decision guidelines apply to an application for a permit to subdivide land under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Municipal Planning Strategy, the Planning Policy Framework and local planning policies.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

4.0 Buildings and works

10/09/2021
C126hbay

4.1 Physical Framework Plan

A permit is not required for buildings and works which are constructed generally in accordance with a Physical Framework Plan prepared to the satisfaction of the responsible authority.

The Plan may be prepared and approved in stages to the satisfaction of the responsible authority.

Prior to the approval of the Physical Framework Plan, or any stage, the responsible authority may consent to the construction of buildings and works, and signs.

The Physical Framework Plan may be amended to the satisfaction of the responsible authority.

Preparation of the Physical Framework Plan

The Physical Framework Plan must show:

- the location of all existing buildings, driveways, carparking and loading areas
- the boundaries and dimensions of the subject land
- any adjoining roads
- relevant ground levels
- the location, height, dimensions, floor area and elevations, materials and colours of any proposed buildings and works
- details of construction and location of any proposed driveways, carparking and loading areas
- any proposed landscaping areas
- any proposed external waste storage treatment areas
- any proposed signs
- any necessary traffic management, traffic control and road works proposed

4.2 Development Plan

The responsible authority may consent to the construction of buildings and works which are not generally in accordance with the Physical Framework Plan for uses contained in Section 1 of the Table of Uses to this schedule. No such buildings and works may be constructed until a Development Plan of the proposed buildings and works has been prepared to the satisfaction of the responsible authority.

Preparation of a development plan

The Development Plan must include the details required for the Physical Framework Plan and must be accompanied by the following:

- information regarding any noise likely to be generated
- information regarding any additional traffic likely to be generated
- information regarding the extent to which and the reasons why the proposal is not generally in accordance with the Physical Framework Plan.

4.3 Decision Guidelines

In considering the Physical Framework Plan or the Development Plan or an application to construct a building or construct and carry out works the responsible authority must consider:

- whether the proposals will adversely effect the amenity of persons living in surrounding residential zones
- whether the buildings and works will be in keeping with the character and appearance of the area
- the effect of any additional traffic to be generated
- whether the proposal is in accordance with the purpose of the zone
- any likely effect of noise emissions
- provision of carparking and loading areas
- any design guidelines adopted by the responsible authority.

When considering the Development Plan or an application to construct a building or construct or carry out works the responsible authority must also consider:

- the extent of departure from the Physical Framework Plan
- the effect of the departure from the Physical Framework Plan
- the degree of impact of the proposal on the surrounding area
- the views of the relevant municipal council.

The responsible authority may also consider the comments of the Environment Protection Authority, Business Victoria, Heritage Victoria, Department of Natural Resources and Environment, Parks Victoria, the Melbourne Port Corporation and the City of Hobsons Bay.

4.4 Exempt Buildings and Works

The requirements of Clause 4.1, 4.2, 4.3 of this schedule do not apply to:

- the alteration of plumbing, electrical, sewerage, drainage, water, gas, power telecommunications, lighting and security services
- roadworks and drainage
- repairs and routine maintenance
- internal buildings works
- temporary structures and supports required during construction of other buildings and works
- the rearrangement of carparking if the number of vehicle spaces is not diminished
- the rearrangement, renewal, repair and maintenance of plant provided that the area of plant external to the existing buildings is not increased
- a temporary shed or structure, not exceeding 100 square metres in floor area, which is outside driveway, carparking, loading or landscaping areas
- any works carried out by a public authority or municipal council in association with the development of new plant or buildings

- any buildings or works required to be modified in conformity with license conditions under the Dangerous Goods Act or an Environment Protection Authority License, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970
- a Minor utility installation
- any works required to be carried out for fire protection
- site preparation works and decontamination and rehabilitation works
- dredging works undertaken by or under the authority of the relevant port authority to maintain navigable depths in existing channels, waterways and harbours to ensure continued access to facilities
- works lawfully undertaken by or on behalf of port authorities for the maintenance or repair or removal of any navigation aids or open framed marine structures
- any other buildings or works of a minor nature with the prior consent of the responsible authority.

5.0 Signs

10/09/2021
C126hbay

This zone is in Category 2.

24/09/2018
C88

SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

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

BROOKLYN TERMINAL SUBSTATION

Purpose

To provide for the continued use and development of the land as a utility installation whilst minimising amenity impacts on the surrounding area.

1.0 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Automated collection point	Must meet the requirements of Clause 52.13-3 and 52.13-5. The gross floor area of all buildings must not exceed 50 square metres.
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Industry (other than Automated collection point)	Must be in conjunction with a utility installation.
Store	Must be in conjunction with a utility installation.
Any other use not in Section 1 or 3	Must be in conjunction with a utility installation.

Section 3 - Prohibited

Use

2.0 Use of land

24/09/2018
C88

Use of land as a utility installation must comply with National Health & Medical Research Council (NHMRC) interim guidelines (1989) and the Australian Radiation Protection & Nuclear Safety Agency (ARPANSA) standards (or any subsequent update by these agencies).

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, light spill and glare.

3.0 Subdivision

24/09/2018
C88

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The objectives, requirements and guidelines of the *Altona North Comprehensive Development Plan August 2018*.

4.0 Buildings and works

24/09/2018
C88

No permit is required to construct a building or construct or carry out works for the following:

- To rearrange, alter or renew plant if the area or height of the plant is not increased.

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, air-borne emissions, emissions to land and water, traffic, light spill and glare.
- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
- Elevation drawings to scale which show the colour and materials of all buildings and works, including any proposed screening to buildings.
- 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.

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Altona North Comprehensive Development Plan August 2018.*
- The interface with adjoining areas, especially the relationship with residential areas. This includes the overall arrangement and form of buildings and works and landscaping along residential boundaries.
- The design and elevation treatment of buildings and works including detailing. This includes opportunities to provide screening to buildings.

5.0 Signs

24/09/2018
C88

Advertising sign requirements are at Clause 52.05. This zone is in Cateogry 3.

37.02 COMPREHENSIVE DEVELOPMENT ZONE

31/07/2018
VC148

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

Purpose

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

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

37.02-1 Table of uses

19/01/2006
VC37

Section 1 - Permit not required

Use	Condition
Any use in Section 1 of the schedule to this zone	Must comply with any condition in Section 1 of the schedule to this zone.

Section 2 - Permit required

Use	Condition
Any use in Section 2 of the schedule to this zone	Must comply with any condition in Section 2 of the schedule to this zone.
Any other use not in Section 1 or 3 of the schedule to this zone	

Section 3 - Prohibited

Use
Any use in Section 3 of the schedule to this zone

37.02-2 Use of land

31/07/2018
VC148

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any guidelines in the schedule to this zone.

37.02-3 Subdivision

15/03/2024
VC256

Permit requirement

A permit is required to subdivide land.

An application to subdivide land for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision	Objectives and standards to be met
60 or more lots	All except Clause 56.03-5.
16 – 59 lots	All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.
3 – 15 lots	All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.
2 lots	Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

Any requirement in the schedule to this zone must be met.

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

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Subdivide land to realign the common boundary between 2 lots where: - The area of either lot is reduced by less than 15 percent. - The general direction of the common boundary does not change.	Clause 59.01
Subdivide land into lots each containing an existing building or car parking space where: - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.	Clause 59.02
Subdivide land into 2 lots if: - The construction of a building or the construction or carrying out of works on the land:	Clause 59.02

Class of application	Information requirements and decision guidelines
– Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. – Has started lawfully. ▪ The subdivision does not create a vacant lot.	

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The objectives and standards of Clause 56.
- Any guidelines in the schedule to this zone.

37.02-4 Buildings and works

20/04/2026
VC307

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a building or construct or carry out works with an estimated cost of up to $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.	Clause 59.04

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Clause 58 of this scheme, as in force immediately before the approval date of Amendment VC174, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

37.02-5 Signs

31/07/2018
VC148

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

10/09/2021
C126hbay

SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

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

THE RANGE ESTATE WILLIAMSTOWN – STAGE 7

Land

Land located on the south side of Kororoit Creek Road between Jawbone Reserve and Caspian Terrace, Williamstown being Stages 1-3 Plan of Subdivision PS426080A, commonly referred to as 111-113, 115-119 and 121-129 Kororoit Creek Road Williamstown.

Purpose

- To provide for the comprehensively planned development of the land in a way that integrates residential, recreational and limited commercial land uses and development having consideration to the surrounding natural and built environments and land uses.
- To ensure that the combination of uses, their scale and design are compatible with the amenity of the surrounding land uses.
- To provide for a diverse range of dwellings and medium density housing types, and permanent and temporary accommodation uses in an attractive and comprehensively planned environment generally consistent with the Objectives of Clause 54, Clause 55 and Clause 56.
- To provide for a limited range of commercial activities including a combined restaurant and function centre, medical centre, and convenience shop.
- To achieve a high standard of architecture and urban design.
- To achieve an urban design character which promotes a visual gateway into Williamstown from the west.
- To create an attractive waterfront development.
- To enhance and extend public access, which includes effective and safe pedestrian access between Kororoit Creek Road and the adjoining Jawbone Reserve, and to promote passive recreation along Jawbone Reserve through the development of a waterfront boardwalk and connection to the Bay Trail.
- To retain view corridors of Jawbone Reserve from the north side of the Kororoit Creek Road through Caspian Terrace and through the development on the land.
- To assist in protecting and enhancing the adjoining Jawbone Reserve as an environmental, conservation and recreation asset of State, regional and local significance, through sensitive design and landscaping.
- To ensure safe and effective vehicular access and to maximise opportunities for the provision of off street parking, and the provision of adequate loading facilities.
- To ensure the land is developed in an orderly and comprehensive manner.

1.0 Table of uses

14/11/2022
VC227

Section 1 - Permit not required

Use	Condition
Animal keeping	Must be no more than 2 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.

Use	Condition
Bed and Breakfast	No more than 6 persons may be accommodated away from their normal place of residences. At least 1 car parking space must be provided for each 2 persons able to be accommodated way from their normal place of residence
Caretaker's house	Must be in conjunction with another accommodation use, function centre use or restaurant use in Section 1
Convenience Shop	Must not include more than one convenience shop and the leasable floor area must not exceed 80 square metres
Dependent person's unit	Must be the only dependent person's unit on the lot
Dwelling (other than Bed and Breakfast and Caretaker's house)	The use must be located in Precincts 1 and 4 (identified as "Medium density housing") on the Concept Plan Buildings in Precinct 1 on the land associated with the use must not exceed a maximum overall building height of two storeys and 9 metres above ground level No more than 9 dwellings in Precinct 1 Any other buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline Car parking must be provided to the satisfaction of the responsible authority The use must not be located in Precinct 2
Function Centre	The use must be located in Precinct 3B (identified as "Restaurant/ Function Centre" on the Concept Plan) Must be used as part of the same building which is used for a restaurant use
	Buildings on the land associated with the use must not exceed a maximum overall building height of two storeys (excluding any basement car parking) and RL14.0 AHD to the ridgeline Number: not more than 220 patrons or seats available to the public in combination with the restaurant use, except with a permit. Car spaces: at least 0.5 spaces per seat
Home based business	
Informal outdoor recreation	
Mineral exploration	
Mining	Must meet the requirements of Clause 52.08-2
Minor utility installation	Must not be a sewerage treatment plant
Motel	The use must be located in Precinct 2 (identified as "Existing Quest Apartments" on the Concept Plan) Number: not more than 62 motel units in Precinct 2 on the Concept Plan used only to accommodate persons away from their normal place of residence

Use	Condition
	Maximum overall floor space: not more than 8000sqm in Precinct 2 on the Concept Plan Car spaces: 1 car space per motel unit The motel units must not provide permanent residential accommodation.
Railway	
Restaurant	The use must be located in Precinct 3B (identified as “Restaurant/Function Centre” on the Concept Plan) Buildings on the land associated with the use must not exceed a maximum overall building height of two storeys (excluding any basement car parking) and RL14.0 AHD to the ridgeline Number: not more than 220 patrons or seats available to the public in combination with the function centre use, except with a permit Car spaces: at least 0.5 spaces per seat Entertainment must be ancillary to the use
Retirement Village	The use must be located in Precinct 3A (identified as “Retirement Village” on the Concept Plan) Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline No more that 16 apartments except with a permit Car parking must be provided to the satisfaction of the responsible authority
Search for stone	Must not be costeaning or bulk sampling
Tramway	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01

Section 2 - Permit required

Use	Condition
Car park	
Display home	
Dwelling	If the use is located within Precinct 3A on the Concept Plan Buildings in Precinct 3A on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline Car parking must be provided to the satisfaction of the responsible authority The use must not be located in Precinct 2
Jetty	
Medical Centre	

Use	Condition
Mineral, stone or soil extraction (other than Extractive Industry, Mineral Exploration, Mining and Search for stone)	
Minor Sports and Recreation Facility	
Motel	If the use is located within Precinct 3A on the Concept Plan
	Buildings in Precinct 3A associated with the use must not exceed a maximum overall building height of 3 storeys and RL14.0 AHD to the ridgeline Car spaces: 1 car space per motel unit The motel units must not provide permanent residential accommodation.
Place of Worship	
Residential Village	If the use is located in Precinct 4 on the Concept Plan Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline. Car parking must be provided to the satisfaction of the responsible authority. The use must not be located in Precinct 1 on the Concept Plan
Restricted Recreation Facility	The Restricted Recreation Facility must be located within Precinct 3A.
Retirement Village	If the use is located in Precinct 4 on the Concept Plan. Buildings on the land associated with the use must not exceed a maximum overall building height of three storeys and RL14.0 AHD to the ridgeline. Car parking must be provided to the satisfaction of the responsible authority.
Shop	The shop use must be a pharmacy associated with a Medical Centre and must be located within Precinct 3A.
Utility Installation	

Section 3 - Prohibited

Use
Industry (other than Automated collection point)
Any Section 1 use - if the Section 1 condition is not met unless the use is separately included in Section 2
Any use in Section 2 where the condition is not met
Any other use not in Section 1 or 2

2.0 Concept

25/01/2006
C36

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) shows the general location of the various uses, the indicative road and waterfront frontages and the indicative arrangement of land uses for two detached vacant parcels of land, separated by land currently used for temporary accommodation purposes.

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) divides the land into five distinctive precincts, the preferred location and future use / development of which are as follows:

Precinct	Location	Use/ Development
1	North Eastern corner	Medium density housing
2	Eastern	Motel (existing 'Quest' serviced apartments)
3A	North Central	Retirement Village and Restaurant car parking
3B	South Central	Restaurant and Function Centre
4	Western	Medium density housing

The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) describes the vision for the subject land and includes design objectives for its development, which includes a range of permanent and temporary residential uses, and limited commercial activities including a restaurant/ function centre and a local level convenience shop.

The responsible authority may approve minor modifications or changes to the Concept Plan- The Range Estate Stage 7 Concept Plan, (prepared by Stonehenge Creative Services P/L dated 14 September 2005) if it is generally satisfied that any changes to the Concept Plan will not result in a significant change to the vision of the proposed development on the land.

3.0 Use of Land

11/12/2008
C62(Part 1)

The use of the land must be generally in accordance with the Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

The use of the land must not adversely affect the amenity of the area 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, smell, fumes, smoke, vapour, steam soot, ash, dust, waste water, waste products, grit or oil.

Use of land in Precinct 3A

The preferred use of land in Precinct 3A is a retirement village.

The alternative use of land may be, in order of preference:

- Motel; or
- Dwelling/ medium density dwelling.

The applicant must submit reasonable justification to support an alternative use of the land if inconsistent with the preferred use.

Decision Guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

- The extent to which the proposed use is consistent with the objectives as set out in the purpose of the zone.
- The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The effect the use may have on nearby existing or proposed residential areas and other sensitive uses.
- The reasonable justification of an alternative use in Precinct 3A.

4.0 Subdivision

11/12/2008
C62(Part 1)

A permit is required to subdivide land.

Subdivision prior to the approval of a Development Plan

Prior to the approval of a development plan, a permit may only be issued for an enabling subdivision creating precincts corresponding to the precinct lots shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005) subject to:

- Arrangements being made as appropriate and to the satisfaction of the responsible authority for the provision of access, utility services, car parking, common property, reserves and easements for each precinct.
- Each precinct, in its entirety, being under the control of one developer group.

Further subdivision of a precinct

A permit may be issued for the further subdivision of a precinct subject to the following and to the satisfaction of the responsible authority:

- A development plan having been approved for the development of the precinct;
- The precinct being under the control of and developed by one developer group;
- Prior to the certification of the plan of subdivision buildings and works on the land having commenced; and
- Prior to the issue of a statement of compliance all subdivision and associated works as required in the permit are completed or a surety is provided to secure their completion.

In the event the owner requests certification of the plan of subdivision prior to the commencement of buildings and works, the responsible authority may at its option enter in an agreement with the owner under Section 173 of the Act to ensure the development of the land is undertaken in accordance with an approved development plan.

Subdivision of each precinct may occur in stages.

Application requirements

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

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The proposed lots and areas of subdivision, including any areas of common property.
- An Environmental Management Plan for the proposed subdivision or stage addressing potential impacts on the site and on adjoining areas in terms of:
  - Groundwater and drainage.

- Soil disturbance, erosion and sedimentation.
- Public safety.
- Vegetation and habitat.

Where subdivision occurs prior to any dwelling use and development a written submission responding to each objective and standard of Clause 56- Residential Subdivision.

Decision Guidelines

Before deciding on an application to subdivide land, in addition to the decision guidelines of Clause 65, the responsible authority must consider as appropriate:

- The intent of The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The urban design objectives prepared in accordance with a development plan.
- Any natural or environmental values on or near the land.
- Any comments of the Vic Roads or other referral authority, including the Department of Sustainability and Environment.
- The Environmental Management Plan submitted in accordance with the application of this Clause.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- Whether the plan of subdivision provides for public access through the site along the lakefront boardwalk and pedestrian access ways.
- Compliance with the objectives of Clause 56.
- Whether a development plan has been approved.
- Whether the subdivision of the land integrates with the future development of the land.

5.0 Buildings and Works

11/12/2008
C62(Part 1)

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

Buildings and works must be constructed in accordance with a development plan, landscaping plan, open space management plan, traffic plan, environmental management plan, waste management plan and storm water management plan prepared to the satisfaction of the responsible authority prior to the commencement of any works.

Development Plan

No building or works may be constructed until a development plan for the development of land in the zone has been prepared to the satisfaction of and approved by the responsible authority

A development plan for each precinct may be prepared to the satisfaction of the responsible authority.

A development plan must be in accordance with the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005) and show:

- A detailed site analysis plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.

  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties.
  - The use of surrounding buildings.
  - Solar access to the site and surrounding properties.
  - Any contaminated soils and filled areas, where known.
  - The built form, scale and character of surrounding development.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the site and surrounding area.
  - Views to and from the site.
  - The location and layout of all car parking areas and spaces and loading bays.
  - The location of all vehicular, pedestrian and bicycle ingress and egress and location of access ways.
- The location, height, dimensions floor layout and floor area of all buildings and works including elevation drawings showing proposed materials, finishes and colours.
- The proposed use of each building or part thereof including hours of operation.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- The location of all open space, including areas available to the public and private open space.
- Proposed landscaping associated with the development of the land and in particular the treatment along the frontages to Kororoit Creek Road and the boundaries of the land.
- A management plan for controlling and maintaining open space.
- The stages, if any, in which the land is to be developed, with starting and completion dates for each stage.
- Urban design objectives to be achieved.
- The provision of a sensitive interface between the buildings and their surroundings.

The responsible authority may consider any one or more of the components of a development plan and notify the owner whether they are satisfactory. The responsible authority must consider a component if asked to do so by the owner.

All buildings and works, open space and landscaping and use of land must be in accordance with a development plan.

At the request or with the consent of the owner, a development plan may be amended to the satisfaction of the responsible authority.

Development Design

The development of land must be generally in accordance with the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005), and a Development Plan.

Any development on the land must achieve compliance with the following design guidelines to the satisfaction of the responsible authority:

Building Design

- Provide a rich, diverse and harmonious contemporary architectural expression in the design of buildings.

- Use balconies, verandahs and built form to diversify architectural expression and maximise views towards the sea.
- Provide a high level of amenity for dwellings within a development.
- Reduce the scale of buildings by the articulation of the various components in the plan and elevation.
- Conceal rooftop or upper level mechanical plant and equipment. Conceal any other plant and associated equipment and plumbing (excluding downpipes) within the building envelope.
- Integrate any open air roof decks into the design of the roof form.
- Consider the design and form of a roof deck, the setbacks of a roof deck from the roof edge and the form of any structures or elements associated with a roof deck to ensure minimal visual impact on the street, coastal and wetland environs and adjoining properties, and to limit views into the secluded private open space and habitable room windows of adjacent dwellings.
- Consider the relationship of each use component on the land to another, in terms of façade treatment, scale, reduction of wind exposure and provision of solar access within the buildings and related outdoor space.
- Provide a varying setback from all boundaries as noted on the typical building footprints on the Concept Plan, particularly to the north, south and east in order to achieve reduction in the apparent scale and bulk of building form, maximise views and solar access and sheltered external spaces.
- Design and site buildings to take advantage of lake and sea views, and to provide a sense of address to Kororoit Creek Road, the lake and adjoining wetlands, where appropriate.
- Provide wind protection for external spaces and availability of sea views.
- Provide for a variation of building height as it relates to the articulation of the building in plan form and the uses proposed within.
- Provide a sensitive interface between the buildings and their surroundings.
- Provide easy vehicular and pedestrian access through the site.
- Integrate any understorey car parking facilities into the design of the building to reduce any adverse visual impacts of such facilities when viewed from surrounding roads and the adjoining reserve.
- Ensure new development respects the environmental and landscape significance of the Green Reserve on the Concept Plan.
- Design and site buildings in Precinct 4 to provide a transition between building forms and open space including the adjoining Jawbone Reserve.

Building Height Control

A building must not be constructed or works (including roof decks) carried out to exceed the maximum building height level as shown in the Table of Uses in this Schedule.

A permit may not be granted to exceed the maximum building height specified in the Table of Uses in this Schedule.

Air conditioning and other plant and mechanical equipment must not exceed the maximum building height specified in the Table of Uses in this Schedule.

Ancillary works including a radio mast, a television mast, a television antenna, a chimney, a flue or the like may exceed the maximum building height specified in the Table of Uses in this Schedule.

Any proposal must demonstrate how the proposal achieves the following design objective:

- To ensure that development does not generally dominate the scale and setting of the street and foreshore.

Setback Requirements

Buildings, unless specified otherwise in this clause, must be setback from adjoining boundaries as follows:

- 6 metres from Kororoit Creek Road in Precincts 1 and 4, allowing for landscaped areas within this space.
- 15 metres from Kororoit Creek Road in Precincts 2 and 3A, allowing for car parking and landscaped areas within this space. Car parking is to be setback a minimum of 3 metres from the northern property boundary.
- 5 metres from the eastern boundary of the site in Precinct 1, together with landscaping and screening from the reserve and the residential development along Caspian Terrace to the east of the land.
- 22 metres from the eastern boundary of the site in Precinct 2, together with at grade car parking between the buildings and the site boundary, and landscaping and screening from the reserve and the residential development along Caspian Terrace to the east of the land.
- 5 metres from the western boundary up to the area designated as 'Green Reserve' on the Concept Plan located at the north west corner of Precinct 4.
- 6 metres from the southern boundary of the site adjoining Jawbone Reserve.

Setback areas must be landscaped where appropriate to be in keeping with the character and appearance of the area to the satisfaction of the responsible authority.

Control of Noise and Odour – Commercial Development

A report by a suitably qualified acoustic consultant must be prepared to the satisfaction of the responsible authority and submitted with a development plan application for approval and endorsement and must:

- Demonstrate that sound emanating from the land will not exceed those required to be met under State Environment Protection Policies Nos. N-1 (control of noise from Commerce, Industry and Trade) and N-2 (Control of Music Noise from Public Premises).
- Provide details of sound proofing treatments to all air conditioning, refrigeration or other plant and equipment to prevent nuisance or annoyance to persons in dwellings or accommodation nearby.

External amplified public address or speaker systems must not be installed on the premises.

All external plant and equipment must be acoustically treated or placed in sound proof housing to reduce noise to a level satisfactory to the responsible authority.

All exhaust fans and similar vents must be fitted with filtering devices to reduce emissions of kitchen smells and other odours to a level satisfactory to the responsible authority and to avoid adverse impacts to persons in dwellings or accommodation nearby. Details of the type of filtering devices and their effectiveness are to be submitted with a development plan application.

External Lighting

All lighting used to externally illuminate buildings, works and uses must be fitted with cut-off luminaries (baffles) where appropriate to prevent the emission of direct light and indirect light onto adjoining properties to the satisfaction of the responsible authority.

External spaces

- Provide decks and boardwalks facing the lake and sea views to the frontages of buildings on the lakefront.
- Provide a stepped edge to the water to improve the relationship between the deck / boardwalk and the water.

- Utilise compatible indigenous species for all planting.
- Provide low-level landscape screening to all car-parking areas.

Landscaping Plan

A landscaping plan must be prepared to the satisfaction of the responsible authority. The landscape plan must be submitted with a development plan application for approval and endorsement and must show:

- Landscaping for the development and in particular the treatment along the frontage to Kororoit Creek Road and adjoining Jawbone Reserve to the south and a management plan for controlling and maintaining open space.
- Tree planting and surface grading to ensure that basement or semi-basement car parking and support structures below natural ground level are satisfactorily concealed.
- Planting of indigenous species to the locality for parts of the land connected to the lake and any conservation area adjoining the land such as Jawbone Reserve.
- The location of all vehicle, bicycle, pedestrian ways, boardwalks and connections to existing public pathways to Jawbone Reserve.
- Details of fencing of the site boundaries fronting Kororoit Creek Road, Caspian Terrace, the boardwalk, and the eastern and western boundary of Precinct 4.
- Details of any excavation of the existing mound located on the land near the western boundary of Precinct 4 to ensure that the existing mound form located on the adjoining Jawbone Reserve is retained and any excavation is properly stabilised to the satisfaction of the responsible authority.
- Landscaping of the existing mound along the western boundaries of the subject land.

At the request or with the consent of the owner the Landscape Plan may be amended to the satisfaction of the responsible authority.

Open Space Management Plan

Prior to the commencement of any buildings or works on any land an open space management plan must be prepared to the satisfaction of the responsible authority. The management plan for controlling and maintaining open space must:

- Show areas of open space that will be available to the public (public areas).
- Show areas of open space that will be available only to residents and employees (non-public areas).
- Show by plans and elevations open space that will be part of a building.
- Specify times when public areas will be available to the public and how it is intended to ensure that they will be available at those times.
- Set out plans for the permanent management and upkeep of public areas.
- Specify the uses to which public areas may be put.
- Include a landscape plan for all public and non-public areas.
- If the land is to be developed in stages, show the area that will be available as open space at completion of each stage.
- Show how public areas, which adjoin the Jawbone Reserve lake system, and conservation area are to be integrated in consultation with the relevant management authority and to the satisfaction of the responsible authority.
- Provide for public access at all times along the lake frontage to the land and connection to the Bay Trail.

At the request or with the consent of the owner the open space management plan may be amended to the satisfaction of the responsible authority.

Environmental Management Plan

Prior to the commencement of any buildings or works on any land a site construction and operation environmental management plan must be prepared to the satisfaction of the responsible authority and the Department of Sustainability and Environment. The environmental management plan must provide details of the following:

- Hours during which construction activity will take place.
- Measures to control noise, dust and water runoff, including sediment control and disposal of spoil during construction.
- Stormwater management and on site retention opportunities.
- Location of buildings and building materials stored during construction and delivery.
- Provision of the management of all buildings and construction waste, including recycling and disposal of all materials generated during construction.
- Vehicle access to and from the site and vehicle parking areas for site workers.
- Fencing, barriers or the like surrounding construction sites.
- Method of prevention of plant pathogens into soil and water table adjacent Jawbone Reserve via earth moving equipment.

At the request or with the consent of the owner the environmental management plan may be amended to the satisfaction of the responsible authority.

Storage of building refuse, ground works, spoil or construction materials and earth moving equipment within Jawbone Reserve is prohibited.

Traffic Plan

Prior to the commencement of any buildings or works on any land a traffic plan must be included with the overall development plan and prepared to the satisfaction of the responsible authority and Vic Roads.

The plan must show:

- The location and layout of all car parking areas on the land and showing access to and from the site and the car parking areas and a management plan for operating and maintaining the areas.
- Traffic management and traffic control works considered necessary in adjoining and nearby roads when the development or any stage is completed.
- Each stage of traffic works may be designated by a date or as shown on the development plan or by both methods.
- The location and layout of all access points through to Jawbone Reserve from Kororoit Creek Road to the north.
- The location of pedestrian access through the development from Kororoit Creek Road and along the lakefront boardwalk and pathways.
- Provision of vehicular access to Precinct 1 from the existing access to Precinct 2 from Kororoit Creek Road.
- No vehicle access to Precinct 1 shall be provided from Caspian Terrace which adjoins the land to the east.

The responsible authority considers that the economical and efficient vehicular access to the land in Precinct 1 as shown on the Concept Plan- The Range Estate Stage 7 (prepared by Stonehenge Creative Services P/L dated 14 September 2005) requires the owner to acquire an easement over land in the vicinity of that land (being the land in Precinct 2- Quest Apartments adjoining the land to the west) using the procedure in Section 36 of the Subdivision Act 1988 and that the acquisition will not result in an unreasonable loss of amenity in the area affected by the acquisition.

Until the traffic management and control works shown on the traffic plan are completed in stages or fully to the satisfaction of the responsible authority, no land may be used for the purposes shown on the development plan, except with a permit.

At the request or with the consent of the owner, the traffic plan may be amended to the satisfaction of the responsible authority.

Waste Management Plan – Residential development

Prior to the commencement of any buildings or works on any land a waste management plan must be prepared to the satisfaction of the responsible authority for the collection of household refuse (in the event that the Council's collection service is unavailable) and must include details of the proposed collection service and measures to minimise waste.

At the request or with the consent of the owner the waste management plan may be amended to the satisfaction of the responsible authority.

Waste Management Plan- Commercial development

Prior to the commencement of any buildings or works on any land a waste management plan must be prepared to the satisfaction of the responsible authority and must include the following:

- Solid and liquid waste management.
- Waste minimisation measures.
- Provision of a dedicated refuse bin storage area, located, enclosed and designed to prevent the escape of refuse and odours; and
- Provision for the disposal and collection of bottles in a manner and location to prevent nuisance or annoyance to persons in dwellings or accommodation nearby.

At the request or with the consent of the owner the waste management plan may be amended to the satisfaction of the responsible authority.

Storm Water Management Plan

Any development on the land must have regard to the environmental and habitat values of the adjoining Jawbone Reserve and wetlands.

As part of a development plan application, a storm water management plan must be submitted for approval and endorsement which provides details of the collection, disposal, treatment and reuse of stormwater from the development in accordance with Water Sensitive Urban Design principles and to the satisfaction of the responsible authority.

At the request or with the consent of the owner the storm water management plan may be amended to the satisfaction of the responsible authority.

Dwellings

The location of any dwellings on the land must be generally in accordance with The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

A permit may be issued for the development of dwellings in Precinct 3A.

Any dwelling on the land must comply with the objectives of Clause 54 and 55, where applicable.

Medium Density Dwellings

The location of any dwellings on the land must be generally in accordance with The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

A permit may be issued for the development of medium density dwellings in Precinct 3A.

Any medium density development must comply with the objectives of Clause 55, where applicable.

Retirement Village Development

The location of any retirement village development on the land must be within Precinct 3A as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

Any retirement village development in Precinct 3A must:

- Provide a variety of in house ancillary uses for residents such as a common room, an area for recreation and the like.
- Provide a development with a frontage that addresses Kororoit Creek Road
- Incorporate landscaping into the design of the development which is suitable and appropriate to the use and the site.

A permit may be issued for the development of a retirement village in Precinct 4 on the Concept Plan.

Motel

The location of any motel development on the land must be within Precinct 2 as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

A permit may be issued for the development of a motel in Precinct 3A on the Concept Plan.

Restaurant / Function Centre

The location of any restaurant and/ or function centre on the land must be within Precinct 3B as shown on The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).

The location and design of any advertising signs, fencing, landscaping, architectural feature and the like associated with the building must not encroach upon or obstruct the north to south public access and view corridor adjoining the land to the west.

Written approval of the hours of operation of the restaurant and/or function centre or any ancillary use is required from the responsible authority prior to the operation of the use.

Decision Guidelines

Before deciding whether a development plan including the landscaping plan, open space management plan and traffic plan are satisfactory, the responsible authority must consider:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The content and intent of The Range Estate Stage 7 Concept Plan (prepared by Stonehenge Creative Services P/L dated 14 September 2005).
- The extent to which the proposal achieves the objectives as set out in the purpose of the zone.
- Compliance with the urban design objectives prepared in accordance with the development plan.
- The impact of traffic generated by the proposal and whether it is likely to require special traffic management or control works in the neighbourhood and in particular access to or along Kororoit Creek Road.

- Any views on the traffic plan or a development plan expressed by Hobsons Bay City Council or Vic Roads.
- Any views expressed by the Environment Protection Authority on a development plan, environmental management plan, storm water management plan and waste management plan, as appropriate.
- Any views expressed by the Department of Sustainability and Environment on a development plan, landscape plan, open space management plan, storm water management plan and the environmental management plan.
- Vehicular and pedestrian points of access to and from the land and whether they are suitably located.
- The location and layout of car parking spaces, access lanes and access thereto from Kororoit Creek Road to them.
- The design of the proposed buildings and their relationship to existing development on adjoining sites.
- The interface with adjoining zones including conservation and residential areas.
- The extent to which the building and works are designed to preserve and enhance the landscape character of the conservation zone and surrounds.
- Whether the height, scale, bulk and setback and appearance of new development is compatible with the prevailing character of the area.
- Whether the development is of high quality architectural and urban design standard and avoids poor building and landscaping design solutions.
- Whether a high level of amenity is provided for dwellings within new development.
- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.
- Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, balustrades, roof form and articulation of the building form.
- Whether views of understorey car parking facilities, garages and carports from the foreshore/lakefront and Kororoit Creek Road are minimised.
- Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
- Whether the height of new development does not result in unreasonable amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
- Whether the overshadowing of public spaces is minimised.
- Landscape treatment and provision of appropriate species and location of planting.
- The provision of utility services including sewerage, water, drainage, gas and telecommunications.
- The impact of noise and light emanating from the development on the fauna of the conservation area.
- The protection and enhancement of the environmental qualities of Jawbone Reserve and public open spaces from inappropriate development.
- Whether the height of any development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual bulk and architectural design.

- The extent to which safe and convenient public pedestrian access is provided through the land as shown on the Concept Plan to connect Kororoit Creek Road to the Bay Trail.

6.0 Contaminated Land

11/12/2008
C62(Part 1)

Before a sensitive use (residential use, child care centre, pre-school centre or primary school) commences or before the construction or carrying out of buildings and works in association with a sensitive use commences, either:

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

7.0 Advertising Signs

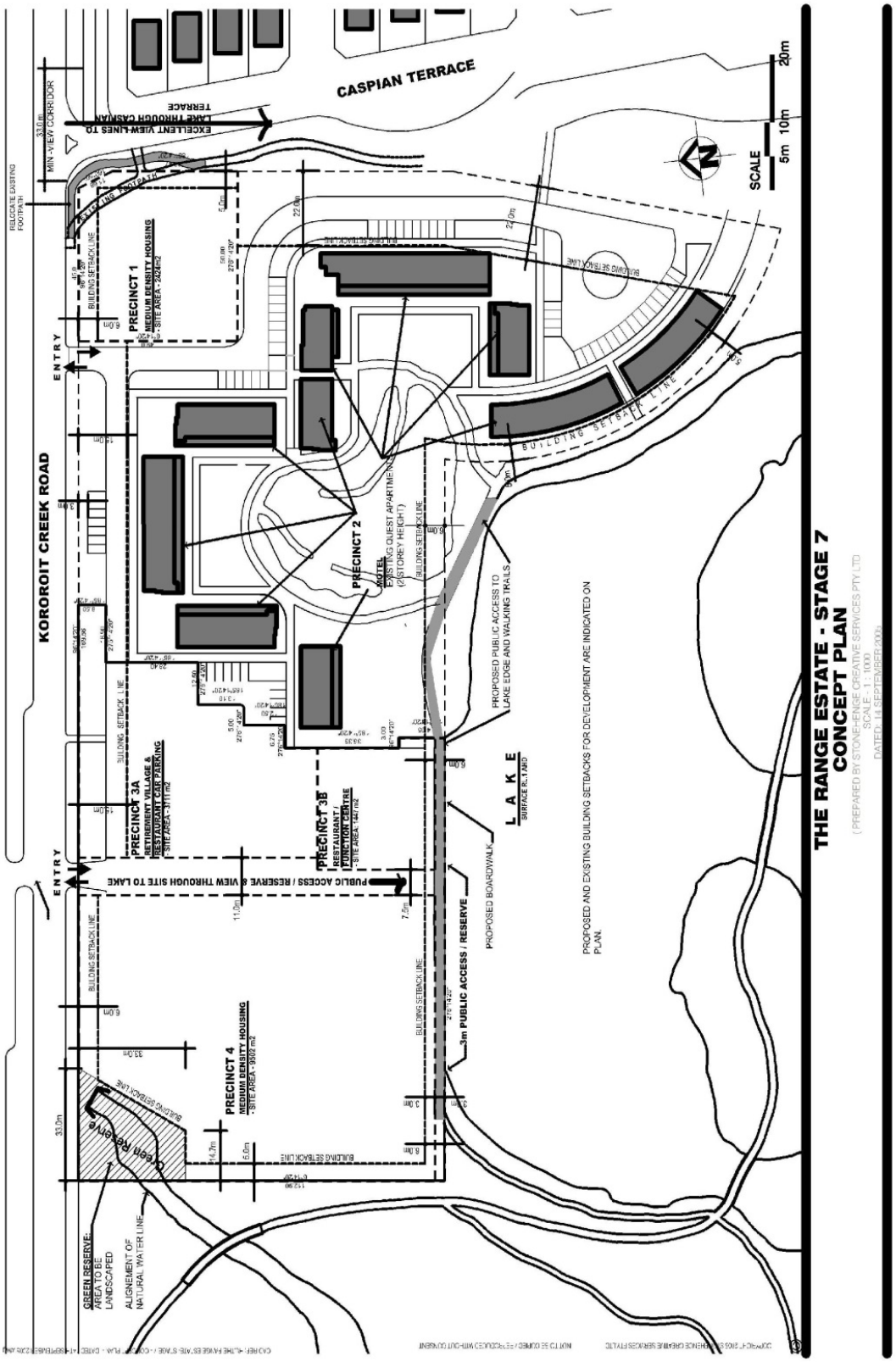
16/08/2007
C70

Category 4 of Clause 52.05 will be used to consider any proposal for signage located within 20m from the foreshore.

Category 3 of Clause 52.05 applies to the remainder of the site.

Any illuminated signage on the land should be shielded from the Jawbone Reserve.

The Range Estate Stage 7 Concept Plan



24/09/2018
C88

SCHEDULE 2 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ2**.

ALTONA NORTH COMPREHENSIVE DEVELOPMENT PLAN

Land

The land is bordered by Kyle Road, Blackshaws Road, New Street, the West Gate Freeway and Brooklyn Terminal Sub-station, in Altona North and South Kingsville.

Purpose

To facilitate the land's transition from an industrial precinct to a mixed use precinct.

To facilitate the orderly development and integration of residential, commercial, retail and a mix of other uses.

To ensure that new sensitive uses do not unreasonably impact on the ongoing operations of industrial uses.

1.0 Table of uses

01/12/2023
VC217

Section 1 - Permit not required

Use	Condition
Accommodation (other than Corrective institution, Camping and caravan park and Residential aged care facility)	Must be no more than 3,000 dwellings in the CDP area. Must be located in the residential area; or Must be at least 7.2 metres (two storeys) above natural ground level at the primary street frontage excepting building entries in the town centre or commercial / mixed use area.
Animal keeping (other than Animal boarding)	Must be no more than five 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.
Child care centre	Must be located in the local community facility area, town centre area or commercial / mixed use area.
Cinema Education centre	Must be located in the town centre or commercial / mixed use area.
Exhibition centre	Must be located in the town centre or commercial / mixed use area.
Home based business	
Indoor recreation facility	Must be located in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 500 square metres.
Informal outdoor recreation	
Office	Must be located in the town centre or commercial / mixed use area.
Place of worship	Must be located in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 250 square metres.

Use	Condition
Residential aged care facility	Must be located more than 450 metres from the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline.
Restricted recreation facility	Must be located in in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 500 square metres.
Retail premises (other than Adult sex product shop, Department store, Gambling premises and Supermarket)	Must be located in the town centre area.
Service industry	Must be located in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 500 square metres.
Supermarket	Must be located in the town centre area.
Tramway	
Veterinary centre	Must be located in the town centre or commercial / mixed use area. The gross floor area of all buildings must not exceed 250 square metres.
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Emergency services facility	Must be located in the town centre or commercial / mixed use area. The site must either adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3.
Gambling premises (other than Gaming premises) **Hospital** **Hotel**	Must be located in the town centre or commercial / mixed use area.
Industry (other than Automated collection point, Materials recycling and Refuse disposal)	Must be located in the town centre or commercial / mixed use area. Must not be a purpose listed in the table to Clause 52.10.
Research centre	Must be located in the town centre or commercial / mixed use area.
Retail premises (other than Adult sex product shop, Convenience shop, Department store, Gaming premises, Supermarket and Take away food premises) — where the section 1 condition is not met	Must be located in the commercial / mixed use area.
Service station	Must be located in the town centre or commercial / mixed use area. The site must either adjoin, or have access to, a road in a Transport Zone 2 or a Transport Zone 3. The site must not exceed 3000 square metres.

Use	Condition
Tavern	Must be located in the town centre or commercial / mixed use area.
Warehouse	Must be located in the town centre or commercial / mixed use area. Must not be a purpose listed in the table to Clause 52.10.
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Adult sex product shop
Camping and caravan park
Cemetery
Cinema – if the section 1 condition is not metCorrective institution
Crematorium
Department store
Exhibition centre – if the section 1 condition is not met
Freeway service centre
Gaming premises
Helicopter landing site
Major sport and recreation facility
Materials recycling
Motor racing track
Nightclub
Recreational boat facility
Refuse disposal
Saleyard
Supermarket – if the section 1 condition is not met
Transport terminal
Winery

2.0 Use of land

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2.1 Requirements

24/09/2018 C88

An application for use of the land must generally be in accordance with the *Altona North Comprehensive Development Plan August 2018*.

All requirements of the *Altona North Comprehensive Development Plan August 2018* must be met.

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, wastewater, waste products, grit or oil.

2.2 Application requirements

25/01/2024
C134hbay

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects of the use, 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 an industry or warehouse use:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether notification under the *Occupational Health and Safety (Major Hazard Facilities) Regulations 2000* is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the *Dangerous Goods (Storage and Handling) Regulations 2000* is exceeded.
- If a dwelling use:
  - The likely effects of the dwellings on the local and regional traffic network;
  - The works, services or facilities required to cater for those effects so that the efficiency and safety of the traffic network is maintained;
  - The proposed method of funding the required works, services or facilities;
  - The availability and capacity of the power, drainage, sewer, water and digital networks;
  - Any necessary upgrades to those networks.
  - The proposed method of funding the upgrade works.
  - A Social Impact Assessment prepared in accordance with *Social Impact Assessment Guidelines: Residential (Hobsons Bay City Council, 2022).*

2.3 Exemption from notice and review

24/09/2018
C88

An application for the use 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 it is generally in accordance with the *Altona North Comprehensive Development Plan August 2018*.

2.4 Decision guidelines

24/09/2018
C88

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Altona North Comprehensive Development Plan August 2018.*
- The effect that existing lawful industrial uses may have on the proposed use.
- If an application for an industry or warehouse use, the effect that the use may have on the amenity of the area and the means of addressing any unreasonable impacts.
- If an application for a dwelling use, the capacity of the local and regional traffic networks, local utilities and community facilities to support the proposed number of dwellings.

3.0 Subdivision

24/09/2018
C88

3.1 Requirements

24/09/2018
C88

The subdivision of land must generally be in accordance with the *Altona North Comprehensive Development Plan August 2018*.

All requirements of the *Altona North Comprehensive Development Plan August 2018* must be met.

Provision for affordable housing

Prior to the issue of a Statement of Compliance for any subdivision of land, the owner of the land must enter into an agreement with the Hobsons Bay City Council (Council) under section 173 of the *Planning and Environment Act 1987* for the provision of affordable housing, which must provide for the following:

The land owner must make a contribution towards affordable housing (Affordable Housing Contribution) to the satisfaction of the Council.

For the purposes of the agreement "affordable housing" is to have the same meaning as any definition of that phrase contained within the *Planning and Environment Act 1987*, or any other definition as agreed between the land owner and the Council.

The agreement must include terms which provide for the manner in which the Affordable Housing Contribution is to be made, including when and how the contribution is to be made.

The agreement must provide for the Affordable Housing Contribution that is to be made by the land owner to be determined as follows:

- A number of dwellings equal to 5% of the total dwellings that are constructed on the land rounded down to the nearest whole number, or any lesser number of dwellings as agreed between the parties, must be identified as Affordable Housing Dwellings by the land owner.
- The Affordable Housing Dwellings are to be made available by the land owner for purchase by either the Council or by a Housing Agency which is registered as either a housing association or housing provider under the *Housing Act 1983* (Housing Agency).
- The price at which the Affordable Housing Dwellings are to be made available for purchase to the Council or a Housing Agency must not exceed an amount that is 25% less than the current 12-month median unit price for a two-bedroom unit in Altona North as published by the Real Estate Institute of Victoria as at the date the agreement is made (Offer Price).
- Alternatively, the land owner and the purchaser may agree to a purchase price that is different to the Offer Price for any or all of the Affordable Housing Dwellings.
- If any of the Affordable Housing Dwellings are not purchased by the Council or a Housing Agency then, with respect to any unpurchased Affordable Housing Dwellings, the land owner must instead make to the Council or a Registered Housing Association an Affordable Housing Payment.
- The amount of the Affordable Housing Payment must not be less than an amount equal to the number of Affordable Housing Dwellings that have not been purchased, multiplied by a figure which represents 25% of the current 12-month median unit price for a two bedroom unit in Altona North as published by the Real Estate Institute of Victoria as at the date the agreement is made.

The agreement must also provide that it is open to the parties to reach agreement as to any other, alternative method by which the land owner can make or deliver the Affordable Housing Contribution.

The agreement must also provide that where the parties have agreed on an alternative method by which the Affordable Housing Contribution may be provided, and the land owner makes a contribution that is in accordance with that agreed method, then any obligation of the land owner to make the Affordable Housing Contribution has been fully and finally discharged.

Compensation for Additional Public Open Space Land

If the land to be subdivided is required by the *Altona North Comprehensive Development Plan August 2018* includes an area or areas of Public Open Space that in total area exceeds the percentage specified as the open space contribution for the land in clause 52.01 (Additional Land):

- The owner must agree to transfer to Hobsons Bay City Council (Council), at no cost, all of the land in the subdivision identified in the *Altona North Comprehensive Development Plan August 2018* as Public Open Space to the Council, including the Additional Land; and
- The Council must agree to pay compensation to the landowner for the Additional Land, at a time and in a manner agreed to by the parties.

If the land to be subdivided is required by the *Altona North Comprehensive Development Plan August 2018* to include an area or areas of Public Open Space that is less than the percentage specified as the open space contribution for the land in clause 52.01:

- The owner must agree to transfer to the Council at no cost all of the land in the subdivision identified in the *Altona North Comprehensive Development Plan August 2018* as Public Open Space to the Council; and
- The owner must agree to pay an amount to the Council that reflects the difference between the amount of actual land being transferred to the Council and the percentage identified as the open space contribution for the land in clause 52.01, at a time and in a manner agreed to by the parties.

Standard of open space on transfer to municipal council

All public open space must be finished to a standard that satisfies the reasonable requirements of the responsible authority prior to the transfer of the public open space, including:

- Removal of all existing disused structures, foundations, pipelines and stockpiles;
- Clearing of rubbish, environmental weeds and rocks;
- Levelled, topsoiled and grassed with warm climate grass;
- Provision of water tapping, potable, and where available recycled, water connection points;
- Sewer, gas and electricity connection points to land;
- Trees and other plantings;
- Vehicle exclusion devices (fence, bollards or other suitable methods) and maintenance access points;
- Installation of park furniture including barbeques, shelters, rubbish bins, local scale playground equipment, appropriate paving and pedestrian and cycle paths; and
- A certificate of environmental audit for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or a statement of environmental audit for the land, without onerous ongoing requirements to the satisfaction of the municipal council, in accordance with Part IXD of the *Environment Protection Act 1970*.

Works to be provided in association with development

Development within the precinct must provide and meet the total cost of delivering the following infrastructure, unless provided for in the *Altona North Development Contributions Plan August 2018*:

- Connector streets and local streets;

- Local bus stop infrastructure where locations are agreed in writing by Public Transport Victoria;
- Landscaping, and where required by the responsible authority, fencing of abutting streets and roads;
- Intersection works and traffic management measures along arterial roads, connector streets, and local streets;
- Local shared, pedestrian and bicycle paths along local roads, connector streets, utilities easements, local streets, waterways and within local parks including bridges, intersections, and barrier crossing points;
- Bicycle parking;
- Appropriately scaled lighting along all roads, major shared and pedestrian paths, and traversing the open space network; and
- Local drainage system and water quality systems.

3.2 Application requirements

24/09/2018
C88

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan showing the proposed subdivision in the context of *Plan 1 – Future Urban Structure* and any other relevant plan in the *Altona North Comprehensive Development Plan August 2018.*

Dwelling yield and density

- An assessment of the dwelling yield and density of the residential development proposed in relation to the dwelling yield and density ranges for the sub-precinct in which the land is located, as shown on the *Plan 8 - Dwelling Yield and Density Plan* contained in the *Altona North Comprehensive Development Plan August 2018*. The assessment should set out how the proposed number of dwellings is contributing to the overall precinct yield of 3,000 dwellings.
- A land use budget setting out the proposed land use areas and the number of premises, e.g. dwellings in the plan, including details about how the development yield allowable by the subdivision is contributing to the overall precinct yield of 3,000 dwellings.

Public Infrastructure Plan

A Public Infrastructure Plan, which must show the location, type, staging and timing of infrastructure on the land as identified in the *Altona North Comprehensive Development Plan August 2018* or as reasonably required as a result of the subdivision of the land and which addresses the following:

- Stormwater drainage and water quality works;
- Road works internal or external to the land consistent with any relevant traffic report or assessment;
- The reserving or encumbrance of land for infrastructure, including for public open space and community facilities;
- Any infrastructure works which an applicant proposes to provide in lieu of development contributions in accordance with the *Altona North Development Contributions Plan August 2018*;
- The effects of the provision of infrastructure on the land or any other land;
- Any other relevant matter related to the provision of infrastructure reasonably as required by the responsible authority.

Noise

- Where the land is likely to be detrimentally impacted by noise levels associated with national freight rail line adjoining the north-east corner of the precinct or an existing industrial use, an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person. The acoustic assessment must:
  - Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the West Gate Freeway, the West Gate Tunnel, the national freight rail line adjoining the north-east corner of the precinct and existing industrial uses, including the Brooklyn Terminal Sub-station.
  - Include recommendations for noise attenuation measures designed to achieve reasonable internal bedroom noise limits.
    An application must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.
- An application for subdivision that includes provision to construct or carry out works for an acoustic wall or other acoustic structure that is not part of a building must also be accompanied by a plan, elevations and other suitable material showing:
  - A visually engaging design avoiding the use of a sheer wall on either side of the structure.
  - Landscaping along the interface area of the structure to soften its visual impact.

Subdivision near fuel and gas transmission pipelines

- Prior to the commencement of any works related to the subdivision of land, including demolition, on land within 60 metres of South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline, a construction management plan must be submitted to and approved by the responsible authority. The plan must:
  - Prohibit the use of rippers or horizontal directional drills.
  - Set out measures to ensure the protection of the pipelines during construction.
  - Be endorsed by the operator of the gas or fuel transmission pipeline.
  - Include any other relevant matter.

3.3 Exemption from notice and review

24/09/2018
C88

An application for the subdivision of land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

This does not apply to an application which proposes to relocate an identified street, public open space or trail as shown on any plan in the *Altona North Comprehensive Development Plan August 2018*, from one lot to another lot in different ownership.

3.4 Decision guidelines

24/09/2018
C88

The following decision guidelines apply to an application under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Altona North Comprehensive Development Plan August 2018.*
- Whether the subdivision provides for public roads and if so, how the proposed public roads integrate with the existing and proposed surrounding road network.
- The effect of the subdivision on the redevelopment of the precinct in the long-term.

4.0 Buildings and works

24/09/2018
C88

4.1 Permits required

24/09/2018
C88

No permit is required to construct a building or construct or carry out works for the following:

- One dwelling on a lot that is greater than 300 square metres in area. This does not apply if the dwelling exceeds any of the discretionary building or façade heights or setbacks in *Table 2 – Land Use and Built Form Outcomes* of the *Altona North Comprehensive Development Plan August 2018*.
- A front fence. This does not apply if the front fence is within 3 metres of a street and associated with one dwelling on:
  - A lot of less than 300 square metres.
  - A lot more than 300 square metres in area on land described as 'Local Road Frontages' or 'Blackshaws Road frontage' on *Plan 2 – Sub Precincts Plan* in the *Altona North Comprehensive Development Plan August 2018*.
  - The fence exceeds 1.2 metres in height.
- 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.

4.2 Requirements

25/01/2024
C134hbay

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

- An application for buildings and works must generally be in accordance with the *Altona North Comprehensive Development Plan August 2018*.
- All requirements of the Altona North Comprehensive Development Plan August 2018 must be met.
- A development of one dwelling on a lot must meet the requirements of Clause 54.
- A development of more than one dwelling on a lot must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement or an apartment development.
- An application for a residential building or multi-dwelling building within 60 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline must not exceed a height of 10.4 metres (3 storeys).
- Prior to the commencement of any building or works, including demolition, on land within 60 metres of South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline a construction management plan must be submitted to and approved by the responsible authority. The plan can be amended from time to time and must:
  - Prohibit the use of rippers or horizontal directional drills.
  - Set out measures to ensure the protection of the pipelines during construction.
  - Be endorsed by the operator of the gas or fuel transmission pipeline.
  - Include any other relevant matter.
- A permit must require a construction management plan to, in addition to any other relevant matter, protect and implement the following matters, as relevant:
  - The disused fuel transmission pipeline under Blackshaws Road.

- The mobile telecommunications tower near the northern boundary of 278 Blackshaws Road and the southern boundary of 40-68 Kyle Road.
- The elimination, containment and management of weeds on the site.
- The protection of, and maintenance of access to, the Brooklyn Main Trunk Sewer.

4.3 Application requirements

24/09/2018
C88

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Dwelling yield and density

- An assessment of the dwelling yield and density of the residential development proposed in relation to the dwelling yield and density ranges for the sub-precinct in which the land is located, as shown on the *Plan 8 - Dwelling Yield and Density Plan* contained in the *Altona North Comprehensive Development Plan August 2018*. The assessment should also set out how the proposed number of dwellings is contributing to the overall precinct yield of 3,000 dwellings.

Noise

- An application to construct a building or carry out works for an accomodation use must be accompanied by an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person, to the satisfaction of the responsible authority. The acoustic assessment must:
  - Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the West Gate Freeway, the West Gate Tunnel, the national freight rail line adjoining the north-east corner of the precinct and existing industrial uses, including the Brooklyn Terminal Sub-station.
  - Include recommendations for noise attenuation measures designed to achieve the reasonable internal bedroom noise limits.
    An application must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.
- An application to construct or carry out works for an acoustic wall or other acoustic structure that is not part of a building, must also be accompanied by a plan, elevations and other suitable material showing:
  - A visually engaging design, avoiding the use of a sheer wall on either side of the structure.
  - Landscaping along the interface area of the structure to soften its visual impact.

Sustainability

- An application to construct a building must be accompanied by a sustainability management plan, prepared by a suitably qualified professional or other suitably skilled person, that demonstrates:
  - Whether during construction of the building best practice environmental management practices will be adopted, including provision for the re-use and recycling of materials and waste.
  - Whether the building will be designed to provide an opportunity for reduced energy and resource use by occupants including:

  Maximising access to natural ventilation of interior spaces.
  Maximising direct daylight access and views to outdoor spaces.

Minimising hard surfaces and maximising landscaped areas in spaces outside the building.
Passive design features to reduce heat gain in summer and maximise heat gain in winter.
Providing for on-site energy production.
Using an appropriate tool for energy and resource use.

Residential development of four storeys or less

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

General

- Plans drawn to scale which show:
  - 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.
- Elevations drawn to scale that show the design, colour and materials of all buildings and works.
- A landscape layout drawn to scale which includes details of the vegetation to be planted, ground surfaces to be constructed, site works specifications and method of preparing, draining, watering and maintaining the landscape area.

4.4 Decision guidelines

24/09/2018
C88

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The *Altona North Comprehensive Development Plan August 2018*.
- In town centre and commercial / mixed use areas:
  - The design of buildings and works and whether this is likely to encourage pedestrian activity on adjoining streets.
  - The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
  - 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.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

5.0 Signs

24/09/2018
C88

Advertising sign requirements are at Clause 52.05. All land located with the Town centre is in Category 1 and the Commercial / mixed use area is in Category 2. All other land is in Category 3.

37.03 URBAN FLOODWAY ZONE

01/07/2021
VC203

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

Purpose

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

To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

37.03-1 Table of uses

14/01/2025
VC237

Section 1 - Permit not required

Use	Condition
Informal outdoor recreation	
Any use listed in Clause 62.01	Must meet the requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Agriculture (other than Animal production and Apiculture)	
Grazing animal production	
Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)	
Road	
Utility installation (other than Telecommunications facility)	
Any use listed in Clause 62.01 if any requirement is not met	

Section 3 - Prohibited

Use
Animal production (other than Grazing animal production)
Indoor recreation facility
Motor racing track
Any other use not in Section 1 or 2

37.03-2 Buildings and works

17/02/2022
VC200

A permit is required to construct a building or construct or carry out works, including:

- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails, if the water flowpath is redirected or obstructed.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:

- Roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

37.03-3 Subdivision

14/12/2023
VC253

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

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

37.03-4 Application requirements

31/07/2018
VC148

General

An application must be accompanied by any information specified in the schedule to this zone.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

Flood risk report

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

37.03-5 Referral of applications

19/01/2006
VC37

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

37.03-6 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

37.03-7 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

1.0 Application requirements

10/09/2021
C126hbay

None specified.

2.0 Decision guidelines

10/09/2021
C126hbay

None specified.

3.0 Signs

10/09/2021
C126hbay

Land	Sign Category
None specified	

40 OVERLAYS

19/01/2006
VC37

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

41 [NO CONTENT]

31/07/2018
VC148

42 ENVIRONMENTAL AND LANDSCAPE OVERLAYS

19/01/2006
VC37

42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

31/07/2018
VC148

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

Purpose

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

To identify areas where the development of land may be affected by environmental constraints.

To ensure that development is compatible with identified environmental values.

42.01-1 Environmental significance and objectives

31/07/2018
VC148

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

42.01-2 Permit requirement

16/10/2025
VC288

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Subdivide land to realign the common boundary between two lots where: ▪ 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

Class of application	Provision
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
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided: ▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	Clause 59.06
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank. The buildings and works must be associated with a dwelling or a small second dwelling.	Clause 59.05

42.01-3 Table of exemptions

16/08/2024
VC262

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning;

The requirement to obtain a permit does not apply to:	
	▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – section 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*. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and mining	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.

The requirement to obtain a permit does not apply to:	
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is: ▪ bracken (Pteridium esculentum); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree. ▪ 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.01-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

42.01-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework.
- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.

10/09/2021
C126hbay

SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO1**.

KORORROIT CREEK CORRIDOR PROTECTION

1.0 Statement of environmental significance

10/09/2021
C126hbay

Kororoit Creek is a major environmental and recreational asset within Melbourne's western region winding its way from its headwaters at Mount Aitken, Deverall Hill and Beattie Hill to enter Port Philip Bay at Altona 81 kilometres downstream.

Kororoit Creek is significant for its geomorphological, landscape, biodiversity and recreational values, particularly within the 30 metre habitat corridor along the waterway.

Kororoit Creek is part of the extensive western basalt plains, which formed by volcanic activity at least two million years ago. The natural escarpments and deep pools of Kororoit Creek are a distinguished characteristic and make the Creek a significant waterway within Melbourne's west and north. Kororoit Creek is an outstanding example of a Victorian basalt plains stream. In an urban Melbourne context it is one of the most valuable streams in Melbourne, with its natural pools and escarpments rivalling and surpassing most others.

Kororoit Creek passes through a diverse range of landscapes and land-uses. The characteristics of the Creek alter from flat, open rural land to established and developing urban suburbs industrial land with significantly altered Creek profiles and into flood plains passing through rich mangrove and saltmarsh habitats.

The Creek corridor provides a habitat for endangered species such as the Growling Grass Frog and the Striped Legless Lizard, as well as internationally recognised migratory birds at the saltmarshes of the Creek mouth. The Creek also features significant remnant native vegetation, including the River Red Gum and White Mangroves. In addition, the Creek banks and land at the top of the banks, while somewhat degraded contain a number of sites supporting remnant vegetation, providing valuable habitat.

Kororoit Creek corridor is regarded as an important and valuable asset by local communities of the western suburbs and visitors. The Creek is used extensively for walking, cycling, open space, recreation and picnics.

As such, the protection and restoration of sites and features of geomorphological, landscape, biodiversity and recreational values are of a high importance.

LOCAL CONTEXT

Hobsons Bay

The northern reach of the Creek is characterised by an incised Creek corridor with little remnant indigenous vegetation and industrial properties lining the corridor. The main exception is downstream of Grieve Parade where the Creek is bounded by open space including G.J. Hosken Reserve. The sense of elevation at Hosken Reserve provides valuable views into escarpments and the Creek corridor. The Creek itself is quite deeply incised into the surrounding land so the character of the corridor is one of remoteness and isolation. The generally degraded landscape is being improved through areas of revegetation. Scattered areas of intact instream vegetation and deep pools are found in this reach of the Creek. The rock escarpments and associated vegetation and instream vegetation are locally to regionally significant.

The southern reach of the Creek is characterised by areas of high ecological value with industrial properties lining the northern side of the corridor. 'Wide Bend' where the Creek runs between Kororoit Creek Road and Millers Road is a significant habitat and ecological area. Kororoit Creek enters Port Phillip Bay through the Altona Coastal Park where thousands of migratory birds, many of which are covered by international agreements relating to migratory birds, visit every year and where large areas of intact saltmarsh and mangroves form an important ecological location. The

mouth of the Creek is rich in character and the tidal channels and associated saltmarshes are one of the few remaining coastal wetlands in metropolitan Melbourne. Instream vegetation is locally to regionally significant.

2.0 Environmental objective to be achieved

10/09/2021
C126hbay

2.1 Ecological Systems

Objective 1

To protect and improve waterway health and biodiversity values of Kororoit Creek and its environs, including native vegetation, fauna habitat, flora and fauna species.

Guidelines

- Minimise degradation of environmental value by avoiding the removal or damage to existing native vegetation and habitat areas.
- Landscape design, groundwater/stormwater design and earthworks should prevent any adverse impacts on water run-off, weed invasion, exotic species introduction and land erosion.
- Limit public access to areas identified as high value biodiversity areas with appropriate fencing, access ways and signage.
- Protect or enhance water quality in the Creek, including the use of water sensitive urban design and the construction of stormwater treatment ponds adjacent to the Creek corridor.
- Locate passive and active recreational open spaces to minimise disruption to environmentally significant areas, with appropriate fencing, screening and/or landscape buffer areas.

2.2 Landscape character

Objective 2

To protect and enhance the natural geological form of the Creek, particularly rock escarpments and associated pools of the Kororoit Creek.

Guidelines

- Encourage rehabilitation works to return the Creek banks to a natural state, particularly where it has been significantly altered or channelled.
- Protect natural river profile, geomorphology and geological formations by avoiding major earthworks, minimising cut and fill of embankments and managing access.

Objective 3

To improve the landscape character of the Creek corridor.

Guidelines

- Ensure that elements of the original landscape are retained particularly through the planting of indigenous vegetation.
- New landscaping and vegetation should be located and designed to reinforce the legibility of the local waterway landform and re-establish the Creeks original natural setting.

2.3 Open space and access objectives

Objective 4

To create and maintain a continuous open space corridor and access trail with links to an open space network of local parks, linear green spaces, regional parks and trail connections.

Guidelines

- Maintain opportunities for integration/connection of the Kororoit Creek trails and pathways with other existing and proposed trails.
- Retain existing connections and protect potential connections from the Creek corridor to community facilities, other open space trails and the regional open space network.
- Construct access paths / trails in accordance with the AustRoads Trail Standards and the Melbourne Water Shared Pathways Guidelines (January 2009).
- Locate passive and active recreational open spaces to minimise disruption to environmentally significant areas, with appropriate fencing, screening and/or landscape buffer areas.

2.4 Views and visual features

Objective 5

To protect and enhance the natural and visually attractive Creek corridor and landscape views along the Creek corridor.

Guidelines

- Development and works (buildings, fences or other structures) should be designed and located so as not to be visually prominent or intrusive when viewed from the Creek corridor and pathways/trails.
- Landscape enhancement and revegetation works should seek to restore the natural environment and reduce the visual prominence of urban forms, for example landscape screening with indigenous vegetation to obscure the visibility of the built form.
- Ensure works adjoining the Creek are sensitively placed and designed to minimise the visual impact on the Creek corridor.

2.5 Built form objectives

Objective 6

To avoid or minimise impacts of buildings and works on the Creek corridor.

Guidelines

- Ensure careful and responsive subdivision and building design reflects the landform and geomorphology of the Creek valley.
- Ensure that the earthworks, built form and fencing retain and enhance the local natural landform and bank profile of the Creek corridor, through appropriate setback and landscaping.
- Ensure development and works are sensitively placed and designed to provide a positive interface to the Creek corridor.
- Locate and design new buildings to not be visually prominent or intrusive when viewed from the Creek corridor or pathways/trails.
- Ensure development provide opportunities for passive surveillance of the Creek corridor.
- Minimise hard paving surfaces on lots adjacent to the Creek.
- Encourage the provision of a continuous publically accessible open space corridor adjacent to the waterway.
- Fence transparency must be a minimum of 50 per cent. Fence design, materials and transparency should be appropriate to the landscape setting of the Creek and provide opportunities for visual interaction along the Creek corridor.

- Built form should not be visually obtrusive within the Creek corridor. Visual bulk should be avoided through building form, materials, articulation, setbacks and with landscape screening where no design alternative exists.
- Building facades should be highly articulated in response to the landscape context, avoiding large, stark expanses of wall materials. External wall and roof materials should be appropriate to the natural, landscape setting of the Creek corridor. Highly reflective or metallic materials should be avoided.
- Ensure the use of consistent built landscape elements, such as signage, pathways and furniture.

3.0 Permit requirement

10/09/2021
C126hbay

In addition to the permit requirements of Clause 42.01-2, a permit is required to:

- Construct a building or fence.

A permit is not required for:

- Undertaking routine maintenance and repairs to existing buildings and works which are undertaken to the same details, specifications and materials.
- Works undertaken by or on behalf of a public authority or waterway management agency for:
  - Ongoing management and operation of effluent treatment.
  - Regulation of the flow of water in a watercourse.
  - Environmental protection and enhancement of the Creek corridor.
  - Regulation or mitigation of flooding from the Creek.
  - Ongoing management, operation and maintenance of a minor utility.
  - Ongoing management of fire breaks

The requirement for a permit to remove, destroy, prune or lop vegetation does not apply to:

- Removing environmental weeds identified in Table 1 to this Schedule or as proclaimed as a weed under the Catchment and Land Protection Act (1994).
- Pruning or lopping of vegetation to maintain access to open space and pedestrian trails/paths, public safety or to maintain a plant's horticultural health.
- The removal of non-indigenous plants in the preparation for revegetation or native vegetation management works by / on behalf of a municipal council or public authority or waterway management authority.

4.0 Application requirements

10/09/2021
C126hbay

An application to subdivide land, construct a building or construct or carry out works must be accompanied by the following information as appropriate, unless otherwise agreed to by the responsible authority:

- A site plan to scale showing lot boundaries, setbacks of existing and proposed buildings and works, driveways and vehicle parking and loading areas, external storage and site service areas, proposed landscape areas and the location of any easements, native and exotic vegetation and the vegetation to be removed.
- An application for buildings and works should include an Environmental Construction Management Plan that will provide, but not be limited to the following information:
  - The location, species and value of existing native vegetation on site.
  - How buildings or works will not compromise remnant native vegetation.

  - How buildings or works will not compromise the Creek corridor landscape or natural landform.
  - How the development will protect the existing ecological values of the Creek corridor.
  - How buildings or works will not threaten stream processes or water quality.
  - Proposed measures to minimise the extent of stream bank disturbance and runoff.
  - The need to stabilise disturbed areas by engineering works or vegetation.
  - Construction vehicle access.
- Building elevations drawn to scale.
- Existing and proposed finished site levels.
- The gradient and location of the top and toe of all cut and fill batters.
- The location, height and materials of construction of existing and proposed retaining walls.
- Floor plan layouts and finished floor levels.
- A landscape plan showing existing and new vegetation, retaining walls and fencing.
- The proposed external building materials, finishes and colours.
- Details of the location of the proposed method of sewage, stormwater, sullage and effluent disposal.
- The location of fuel tanks, water storage or other storage facilities so as to not inhibit the ability to carry out ecological burning of adjacent vegetation.
- The gradient and location of all hardstand areas to direct surface water away from native vegetation and into approved drainage points.
- An application to remove, destroy or lop vegetation must be accompanied by the following information:
  - A description of the vegetation to be removed, including the extent and type of vegetation and the number and size of any vegetation to be removed.
  - A written explanation justifying the removal of the vegetation.

5.0 Decision guidelines

10/09/2021
C126hbay

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 guidelines for each objective.
- The Planning Policy Framework and the Municipal Planning Strategy.
- The K*ororoit Creek Regional Strategy 2005-2030* and any relevant adopted waterway management plan or waterway master plan.
- The views of Melbourne Water.

Background documents

Kororoit Creek Regional Strategy 2005-2030.

Kororoit Creek Masterplan 2006

Port Phillip and Westernport Regional River Health Strategy (June 2007)

Table 1 to Schedule 1 - Environmental Weeds

Scientific Name	Common Name
Acacia baileyana	Cootamundra Wattle
Acer pseudoplatanus	Sycamore Maple
Agapanthus orientalis	Agapanthus
Agave sp	Agave
Allium triquetrum	Angled Onion
Aloe sp	Aloe
Anredera cordifolia	Madeira Vine
Asparagus asparagoides	Bridal Creeper
Berkheya rigida	African thistle
Beta vulgaris	wild beet
Carduus spp.	Slender Thistle
Carduus tenuiflorus	Winged Slender-thistle
Centaurea calcitrapa	Star Thistle
Chamecytisus proliterus	Tree lucern
Chrysanthemoides monilifera	Boneseed
Cirsium arvense	Perennial Thistle
Cirsium vulgare	Spear Thistle
Clematis vitalba	Old Man's Beard
Convolvulus arvensis	Common Bindweed
Coprosma repens	Mirror Bush
Cortaderia selloana	Pampas Grass
Cotoneaster franchetti	Grey Cotoneaster
Cotoneaster glaucophyllus	Large-leaf Cotoneaster
Cotoneaster pannosus	Silver-leaf Cotoneaster
Crataegus monogyna	Hawthorn
Cuscuta planiflora	Small-seed Alfalfa-dodder
Cynadon dacctylon	Couch
Cynara cardunculus	Artichoke Thistle
Cytisus scoparius	English Broom
Datura stramonium	Common Thorn-apple
Diplotaxis tenuifolia	Sand Rocket
Dipsacus fullonum subsp. fullonum	Wild Teasel
Diptatherum miliaceam	Rice Millet
Dittrichia graveolens	Stinkwort
Echium plantagineum	Paterson's Curse
Eichhornia crassipes	Water Hyacinth

Scientific Name	Common Name
Emex australis	Spiny Emex
Eragrostis curvula	African Love-grass
Foeniculum vulgare	Fennel
Fraxinus angustifolia	Desert Ash
Genista linifolia	Flax Leaf Broom
Genista monspessulana	Montpellier Broom
Hedera helix	English Ivy
Hypericum perforatum subsp. veronense	St John's Wort
Ipomoea ssp.	Morning Glory
Juncus acutus subsp. acutus	Spiny Rush
Lagunaria patersonii	Norfolk Island Hibiscus
Lepidium draba	Hoary Cress
Leucanthemum vulgare	Ox-eye Daisy
Ligustrum spp.	Privets
Lycium ferocissimum	African Box-thorn
Marrubium vulgare	Horehound
Melaleuca armillaris	Bracelet Honey Myrtle
Moraea miniata	Two-leaf Cape-tulip
Nassella neesiana	Chilean Needle-grass
Nassella trichotoma	Serrated Tussock
Olea europaea	Olive
Onopordum acanthium subsp. acanthium	Scotch Thistle
Opuntia robusta	Wheel Cactus
Opuntia sp.	Cactus/prickly pear
Oxalis pes-caprae	Soursob
Paraserianthes lophantha	Cape Wattle
Paspalum dilatatum	Paspalum
Phalaris aquatica	Phalaris
Physalis viscosa	Sticky Ground-cherry
Pinus radiata	Radiata Pine
Pittosporum undulatum	Sweet Pittosporum
Polygala myrtifolia	Myrtle leaf milkwort
Prunus sp.	Cherry
Reseda luteola	Weld
Ricinus communis	Castor Oil Plant
Rosa rubiginosa	Sweet Briar
Rubus fruticosus spp. agg.	Blackberry

Scientific Name	Common Name
Salix babylonica s.l.	Weeping Willow
Salix cinerea	Grey Sallow
Salix fragilis	Crack Willow
Salix spp.	Willow
Salix X rubens	Basket Willow
Schinus molle	Peppercorn
Scolymus hispanicus	Golden Thistle
Silybum marianum	Variegated Thistle
Solanum linnaeanum	Apple of Sodom
Solanum nigrum	Blackberry nightshade
Stenotaphrum secundatum	Buffalo grass
Thinopryum ponticum	Tall Wheat grass
Ulex europaeus	Gorse
Vinca major	Blue Periwinkle
Xanthium spinosum	Bathurst Burr
Zantedeschia aethiopica	White Arum Lily

42.03 SIGNIFICANT LANDSCAPE OVERLAY

31/07/2018
VC148

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

Purpose

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

To identify significant landscapes.

To conserve and enhance the character of significant landscapes.

42.03-1 Landscape character and objectives

31/07/2018
VC148

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

42.03-2 Permit requirement

14/12/2023
VC253

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct a fence.	Clause 59.05
Remove, destroy or lop one tree provided: ▪ A permit has not been granted for a VicSmart application to remove, destroy or lop a tree on the same land within the last 12 months. ▪ There is no other current VicSmart application to remove, destroy or lop a tree on the same land.	Clause 59.06
Construct a building or construct or carry out works for: ▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ A rainwater tank.	Clause 59.05

Class of application	Information requirements and decision guidelines
The buildings and works must be associated with a dwelling.	
Construct a building or construct or carry out works for a small second dwelling.	Clause 59.05

42.03-3 Table of exemptions

16/08/2024
VC262

The requirement to obtain a permit does not apply to:	
Emergency works	Vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act.
Fire protection	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ is ground fuel within 30 metres of a building and is vegetation other than native vegetation; ▪ in accordance with a fire prevention notice issued under either: – section 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*. ▪ keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the *Geothermal Energy Resources Act 2005*.

The requirement to obtain a permit does not apply to:	
Greenhouse gas sequestration and exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management or directions notice	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and extraction	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Noxious weeds	Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*).
Pest animal burrows	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.
Planted vegetation	Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.
Railways	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is ▪ bracken (*Pteridium esculentum*); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of vegetation which does not include a tree.

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 *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).
Tram stops	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure.

42.03-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

42.03-5 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.

20/01/2026
VC278

SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO1**.

SKELETON CREEK

1.0 Statement of nature and key elements of landscape

20/01/2026
VC278

Skeleton Creek forms part of a connected system of rivers, wetlands and creeks. Flowing through Bunurong Country, Skeleton Creek has intrinsic spiritual connections and living cultural heritage significance for Traditional Owners and is of high natural and landscape value.

Skeleton Creek rises near Tarneit and flows approximately 20 kilometres southward until it reaches Port Phillip Bay, passing through Melbourne's western suburbs of Truganina, Altona Meadows and Point Cook.

The landscape of Skeleton Creek comprises relatively flat volcanic plains descending from Mt Atkinson to the north. Along its course, the waterway character transitions from rural landscapes to established industrial and suburban areas, highlighting a mix of natural and urban environments.

Skeleton Creek displays a natural meandering alignment, often with sparse vegetation and minimal canopy tree cover. However, the creek corridor provides habitat for threatened species including the Growling Grass Frog and Golden Sun Moth. Plant communities include the endangered Western Plains Grassland.

The waterway corridor is generally narrow, widening out in targeted areas where it flows through linear reserves and parklands. A network of trails follows much of the waterway.

Newer residential development takes advantage of the waterway as a visual and physical asset, with subdivisions aligning roads and dwellings to face onto the riparian corridor. Earlier residential areas around Hoppers Crossing, Seabrook, Altona Meadows and Point Cook frequently feature rear boundaries of residential properties facing the waterway and parklands.

At its estuary, Skeleton Creek flows into the Cheetham Wetlands, which have been created in the former Cheetham saltworks. Now included within the Point Cook Coastal Park, the Skeleton Creek estuary is part of the Ramsar listed wetland of Port Phillip Bay and an important habitat for migratory waterbirds.

There are significant opportunities to work with Traditional Owners and the community to revegetate or naturalise the corridor and re-establish it as an ecological, landscape and recreational link through Melbourne's inner western suburbs.

Parts of the corridor are within and adjoin a Bushfire Prone Area. The management of bushfire hazard is an important part of waterway management.

2.0 Landscape character objectives to be achieved

20/01/2026
VC278

To enhance the role of the waterway as an integrated and continuous landscape corridor, protecting the environmental, cultural and landscape values of the waterway system.

To retain indigenous riparian vegetation and canopy trees or existing grasslands as the dominant landscape feature and enhance the revegetation and ecological improvement of the waterway corridor while managing the introduction of potential bushfire hazards.

To ensure the visual impact of buildings and works, including the storage of goods, is minimised when viewed from the waterway corridor.

To ensure that earthworks are minimised and do not affect the natural drainage function and landscape character of the waterway.

To ensure that fencing interfacing the waterway corridor is designed and located to be visually transparent and recessive in the landscape.

3.0 Permit requirement

29/01/2026
GC282

A permit is not required to:

- Construct a building or construct or carry out works in a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land subject to the Built Form Overlay if the following requirements are met:
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm, as reinstated; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry out works in a Precinct Zone if a masterplan has been approved under Clause 37.10-3.
- Construct a building or construct or carry out works in a zone other than a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land not subject to the Built Form Overlay if the following requirements are met:
  - the building is less than 6 metres in height above ground level;
  - the building provides no more than 50 square metres in additional gross floor area;
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry works out by, or on behalf of, a public land manager to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse; or
  - construct stream habitat works; or
  - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
  - maintain or repair existing assets; or
  - maintain or repair a pathway or trail.

A permit is required to remove, destroy or lop vegetation unless the vegetation:

- Has a height of less than 6 metres above ground level, a trunk diameter of less than 0.4 metres measured at 1.4 metres above ground level, and a canopy diameter of less than 4 metres; or
- Has been planted as part of a windbreak, plantation, orchard or horticulture; or
- Is identified as a weed species in the Advisory List of Environmental Weeds in Victoria; or
- Is removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria, a public authority or municipal council to construct or maintain the transport system; or
- Is being removed, destroyed or lopped as part of maintenance works carried out by, or on behalf of, a public land manager that:
  - has the capacity to adversely affect stream flow; or
  - improves biodiversity and habitat restoration; or
  - forms part of an approved management plan.

A permit is required to construct a fence, unless the fence:

- Is constructed by or on behalf of the Head, Transport for Victoria; or
- Is erected for a period of not more than 60 days and is being used for stock management or agricultural activities; or
- Is sited more than 50 metres from the top of bank of the waterway, and:
  - is a metal post and wire, timber or metal post and railing, wire mesh, chainmesh or similar open rural style fence up to 1.4 metres in height; or
  - is at least 50 percent transparent when viewed perpendicular to the fence line and is less than 1.8 metres in height.

4.0 Application requirements

29/01/2026
GC282

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- To remove, destroy or lop vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting.
  - For land within a Bushfire Prone Area, an assessment of the risk of any new or replacement planting that may result in additional bushfire hazard.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of bank of the waterway.
  - A site context plan and elevations showing:
    - Building and fencing heights using Australian Height Datum measured from ground level.
    - Areas and volume of cut and fill.
    - Site coverage and permeability.
    - Location and proposed material for fences.
    - A schedule of materials and finishes.
    - The existing landscape including topography and vegetation.
    - A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
  - A landscape plan which includes:
    - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
    - Species that are sourced from the relevant municipal council's local planting guidelines where appropriate.
    - A maintenance/weed/erosion control plan for all proposed revegetated areas immediately adjacent to the banks of the waterway.

- Measures for the protection of natural landforms, including appropriate approaches to vegetation retention and planting, ground preparation and the minimisation of ground disturbance.
- Measures to control and filter pollutants in stormwater leaving the property.
- In a Bushfire Prone Area, measures that appropriately manage the potential introduction of bushfire hazards.

- An assessment of the identified values and threats for the reach and the proposal's impact on the waterway corridor.

5.0 Decision guidelines

29/01/2026
GC282

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the scale, form, siting and design of buildings and works:
  - Present new buildings that are sensitively integrated with the natural landscape setting of the waterway corridor, including vegetation.
  - Provide suitable heights, avoid visual bulk, are stepped back from the frontage of the waterway corridor and adjacent public open space and use materials, colours and finishes that are sensitively integrated with the natural landscape setting of the waterway corridor.
  - Manage and limit new light spill and overshadowing on the waterway, adjacent public open space, and pedestrian and bicycle paths.
  - Result in soil disturbance that impacts the banks of the waterway or water quality.
- Whether the buildings or works will create an adverse visual impact:
  - From prominent locations such as ridgelines, hill faces, escarpments and landscape features.
  - Within waterway corridors.
  - From parks and reserves along the waterway corridor.
  - Within the vegetation canopy along the waterway corridor.
- Whether the spacing between buildings allows for:
  - the planting of appropriate vegetation and canopy trees to filter views of the development; and
  - the maintenance of views to the waterway corridor.
- Whether the development results in the loss of public access to the waterway and its parklands or creates inappropriate access to the waterway and its parklands.
- Whether proposed vegetation species are compatible with the local plant communities.
- The justification for the proposed removal of the vegetation and whether there are alternative options.
- The effect of removing vegetation on the landscape setting and biodiversity values of the waterway and whether the loss of vegetation can be managed onsite through rehabilitation or replaced with vegetation that will grow to a similar size within a reasonable timeframe.
- The scale of excavation associated with any works and its impact on existing vegetation and cultural values along the waterway.
- Whether any proposed earthworks and changes in the topography of the waterway corridor will detrimentally impact its local natural landscape character and environmental values.

- Whether the proposed fencing allows for the free movement of wildlife, minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Within a Bushfire Prone Area, whether landscaping and revegetation considers potential bushfire hazards.

20/01/2026
VC278

SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO2**.

CHERRY CREEK

1.0 Statement of nature and key elements of landscape

20/01/2026
VC278

Cherry Creek forms part of a connected system of rivers, wetlands and creeks. Flowing through Bunurong and Wurundjeri Woi-wurrung Registered Aboriginal Party boundaries, Cherry Creek and its landscape hold deeply embedded cultural and spiritual significance for the Traditional Owners, and are recognised as a living and integrated natural entity.

Cherry Creek rises north-west of Derrimut and travels southeast 12 kilometres through established industrial and residential areas before forming Cherry Lake in Altona and then flowing into Port Phillip Bay.

Along much of its length Cherry Creek has been realigned to enable industrial development and is mostly inaccessible to the public. South of the Princes Freeway there are large sections where the creek corridor is confined to a narrow grass culvert or concrete channel. In some sections there is vegetation along the edge of the waterway which contributes to the creation of a green spine through the industrial landscape, with opportunities for future rehabilitation work.

Industrial development generally presents its back to the waterway. Residential development to the south of the creek also backs onto the creek.

Modifications to the creek have significantly reduced riparian vegetation, although some native grassland remains in the catchment. Derrimut Grassland Nature Conservation Reserve has significant biodiversity values and supports various species of grasses which provide important habitat for endangered and vulnerable fauna species. There are also twenty listed water-dependent vegetation species currently within the creek corridor, three of which are endangered.

Cherry Lake forms part of the coastal wetlands of Altona, having been established in the 1960s as a flood retention basin. Today, Cherry Lake is part of a large precinct of connected parklands and recreational facilities. Grasslands and wetlands around Cherry Lake support a variety of birds, including three Egrets (Eastern, Intermediate and Little), and the endangered Altona Skipper butterfly.

There are significant opportunities to work with Traditional Owners and the community to revegetate or naturalise the corridor and re-establish it as an ecological, landscape and recreational link through Melbourne's inner western suburbs.

Parts of the corridor are within and adjoin a Bushfire Prone Area. The management of bushfire hazards is an important part of waterway management.

2.0 Landscape character objectives to be achieved

20/01/2026
VC278

To enhance the role of the waterway as an integrated and continuous landscape corridor, protecting the environmental, cultural and landscape values of the waterway system.

To retain indigenous riparian vegetation and canopy trees or existing grasslands as the dominant landscape feature and enhance the revegetation and ecological improvement of the waterway corridor while managing the introduction of potential bushfire hazards.

To ensure the visual impact of buildings and works, including the storage of goods, is minimised when viewed from the waterway corridor.

To ensure that earthworks are minimised and do not affect the natural drainage function and landscape character of the waterway.

To ensure that fencing interfacing the waterway corridor is designed and located to be visually transparent and recessive in the landscape.

3.0 Permit requirement

29/01/2026
GC282

A permit is not required to:

- Construct a building or construct or carry out works in a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land subject to the Built Form Overlay if the following requirements are met:
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm, as reinstated; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry out works in a Precinct Zone if a masterplan has been approved under Clause 37.10-3.
- Construct a building or construct or carry out works in a zone other than a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land not subject to the Built Form Overlay if the following requirements are met:
  - the building is less than 6 metres in height above ground level;
  - the building provides no more than 50 square metres in additional gross floor area;
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry works out by, or on behalf of, a public land manager to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse; or
  - construct stream habitat works; or
  - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
  - maintain or repair existing assets; or
  - maintain or repair a pathway or trail.

A permit is required to remove, destroy or lop vegetation unless the vegetation:

- Has a height of less than 6 metres above ground level, a trunk diameter of less than 0.4 metres measured at 1.4 metres above ground level, and a canopy diameter of less than 4 metres; or
- Has been planted as part of a windbreak, plantation, orchard or horticulture; or
- Is identified as a weed species in the Advisory List of Environmental Weeds in Victoria; or
- Is removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria, a public authority or municipal council to construct or maintain the transport system; or
- Is being removed, destroyed or lopped as part of maintenance works carried out by, or on behalf of, a public land manager that:
  - has the capacity to adversely affect stream flow; or
  - improves biodiversity and habitat restoration; or
  - forms part of an approved management plan.

A permit is required to construct a fence, unless the fence:

- Is constructed by or on behalf of the Head, Transport for Victoria; or
- Is erected for a period of not more than 60 days and is being used for stock management or agricultural activities; or
- Is sited more than 50 metres from the top of bank of the waterway, and:
  - is a metal post and wire, timber or metal post and railing, wire mesh, chainmesh or similar open rural style fence up to 1.4 metres in height; or
  - is at least 50 percent transparent when viewed perpendicular to the fence line and is less than 1.8 metres in height.

4.0 Application requirements

29/01/2026
GC282

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- To remove, destroy or lop vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting.
  - For land within a Bushfire Prone Area, an assessment of the risk of any new or replacement planting that may result in additional bushfire hazard.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of bank of the waterway.
  - A site context plan and elevations showing:
    - Building and fencing heights using Australian Height Datum measured from ground level.
    - Areas and volume of cut and fill.
    - Site coverage and permeability.
    - Location and proposed material for fences.
    - A schedule of materials and finishes.
    - The existing landscape including topography and vegetation.
    - A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
  - A landscape plan which includes:
    - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
    - Species that are sourced from the relevant municipal council's local planting guidelines where appropriate.
    - A maintenance/weed/erosion control plan for all proposed revegetated areas immediately adjacent to the banks of the waterway.

- Measures for the protection of natural landforms, including appropriate approaches to vegetation retention and planting, ground preparation and the minimisation of ground disturbance.
- Measures to control and filter pollutants in stormwater leaving the property.
- In a Bushfire Prone Area, measures that appropriately manage the potential introduction of bushfire hazards.

- An assessment of the identified values and threats for the reach and the proposal's impact on the waterway corridor.

5.0 Decision guidelines

29/01/2026
GC282

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the scale, form, siting and design of buildings and works:
  - Present new buildings that are sensitively integrated with the natural landscape setting of the waterway corridor, including vegetation.
  - Provide suitable heights, avoid visual bulk, are stepped back from the frontage of the waterway corridor and adjacent public open space and use materials, colours and finishes that are sensitively integrated with the natural landscape setting of the waterway corridor.
  - Manage and limit new light spill and overshadowing on the waterway, adjacent public open space, and pedestrian and bicycle paths.
  - Result in soil disturbance that impacts the banks of the waterway or water quality.
- Whether the buildings or works will create an adverse visual impact:
  - From prominent locations such as ridgelines, hill faces, escarpments and landscape features.
  - Within waterway corridors.
  - From parks and reserves along the waterway corridor.
  - Within the vegetation canopy along the waterway corridor.
- Whether the spacing between buildings allows for:
  - the planting of appropriate vegetation and canopy trees to filter views of the development; and
  - the maintenance of views to the waterway corridor.
- Whether the development results in the loss of public access to the waterway and its parklands or creates inappropriate access to the waterway and its parklands.
- Whether proposed vegetation species are compatible with the local plant communities.
- The justification for the proposed removal of the vegetation and whether there are alternative options.
- The effect of removing vegetation on the landscape setting and biodiversity values of the waterway and whether the loss of vegetation can be managed onsite through rehabilitation or replaced with vegetation that will grow to a similar size within a reasonable timeframe.
- The scale of excavation associated with any works and its impact on existing vegetation and cultural values along the waterway.
- Whether any proposed earthworks and changes in the topography of the waterway corridor will detrimentally impact its local natural landscape character and environmental values.

- Whether the proposed fencing allows for the free movement of wildlife, minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Within a Bushfire Prone Area, whether landscaping and revegetation considers potential bushfire hazards.

20/01/2026
VC278

SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO3**.

KORORROIT CREEK REACH 4 – GLENGALA DRAIN, SUNSHINE WEST TO PORT PHILLIP BAY

1.0 Statement of nature and key elements of landscape

20/01/2026
VC278

Kororoit Creek is part of a connected system of rivers, wetlands and creeks. Rising west of Mt Kororoit near Diggers Rest, Kororoit Creek travels 57 kilometres southeast through rural, residential and industrial areas to Port Phillip Bay at Altona.

Flowing through Wurundjeri Woi-wurrung and Bunurong Registered Aboriginal Party boundaries, Kororoit Creek and its landscape hold deeply embedded cultural and spiritual significance for the Traditional Owners and are recognised as a living and integrated natural entity.

Kororoit Creek has been formed across the volcanic plains of western Melbourne with the waterway incised to varying depths along its course. The landscape includes open, grazing land at its source, new and established residential areas extending from Aintree to Deer Park, and industrial and commercial areas around Sunshine and Altona. Linear open space along the waterway as well as significant flora and fauna reserves help to enhance ecological connections in the riparian landscape.

Kororoit Creek has significant biodiversity including species such as River Red Gums, White Butterfly, Striped Legless Lizard, Growling Grass Frog, Bibron's Toadlet, Rakali, Powerful Owls, and Shorebird Egrets. There are twenty-nine listed water-dependent flora species within the waterway corridor, and four Ecological Vegetation Classes (EVCs) with an endangered status.

Reach 4 of Kororoit Creek extends from the Glengala Drain in Sunshine West to Port Phillip Bay. This reach is characterised by a transition between residential and industrial interfaces.

In many locations, adjacent industrial development presents poorly to the waterway corridor and there are instances of significant alteration to the creek profile, notably near landfill sites. The large industrial complexes around Altona North, including the imposing Mobil Oil refinery, are distinctive features of the waterway in this reach.

As it reaches its estuary at Port Phillip Bay, Kororoit Creek widens into a broad floodplain. Significant remains of saltmarsh and white mangroves are protected within the Altona Coastal Park and Jawbone Conservation Reserve.

There are significant opportunities to work with Traditional Owners and the community to revegetate or naturalise the corridor and re-establish it as an ecological, landscape and recreational link through Melbourne's inner western suburbs.

Parts of the corridor are within and adjoin a Bushfire Prone Area. The management of bushfire hazards is an important part of waterway management.

2.0 Landscape character objectives to be achieved

20/01/2026
VC278

To enhance the role of the waterway as an integrated and continuous landscape corridor, protecting the environmental, cultural and landscape values of the waterway system.

To retain indigenous riparian vegetation and canopy trees or existing grasslands as the dominant landscape feature and enhance the revegetation and ecological improvement of the waterway corridor while managing the introduction of potential bushfire hazards.

To ensure the visual impact of buildings and works, including the storage of goods, is minimised when viewed from the waterway corridor.

To ensure that earthworks are minimised and do not affect the natural drainage function and landscape character of the waterway.

To ensure that fencing interfacing the waterway corridor is designed and located to be visually transparent and recessive in the landscape.

3.0 Permit requirement

29/01/2026
GC282

A permit is not required to:

- Construct a building or construct or carry out works in a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land subject to the Built Form Overlay if the following requirements are met:
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm, as reinstated; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry out works in a Precinct Zone if a masterplan has been approved under Clause 37.10-3.
- Construct a building or construct or carry out works in a zone other than a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land not subject to the Built Form Overlay if the following requirements are met:
  - the building is less than 6 metres in height above ground level;
  - the building provides no more than 50 square metres in additional gross floor area;
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry works out by, or on behalf of, a public land manager to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse; or
  - construct stream habitat works; or
  - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
  - maintain or repair existing assets; or
  - maintain or repair a pathway or trail.

A permit is required to remove, destroy or lop vegetation unless the vegetation:

- Has a height of less than 6 metres above ground level, a trunk diameter of less than 0.4 metres measured at 1.4 metres above ground level, and a canopy diameter of less than 4 metres; or
- Has been planted as part of a windbreak, plantation, orchard or horticulture; or
- Is identified as a weed species in the Advisory List of Environmental Weeds in Victoria; or
- Is removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria, a public authority or municipal council to construct or maintain the transport system; or
- Is being removed, destroyed or lopped as part of maintenance works carried out by, or on behalf of, a public land manager that:
  - has the capacity to adversely affect stream flow; or

- improves biodiversity and habitat restoration; or
- forms part of an approved management plan.

A permit is required to construct a fence, unless the fence:

- Is constructed by or on behalf of the Head, Transport for Victoria; or
- Is erected for a period of not more than 60 days and is being used for stock management or agricultural activities; or
- Is sited more than 50 metres from the top of bank of the waterway, and:
  - is a metal post and wire, timber or metal post and railing, wire mesh, chainmesh or similar open rural style fence up to 1.4 metres in height; or
  - is at least 50 percent transparent when viewed perpendicular to the fence line and is less than 1.8 metres in height.

4.0 Application requirements

29/01/2026
GC282

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- To remove, destroy or lop vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting.
  - For land within a Bushfire Prone Area, an assessment of the risk of any new or replacement planting that may result in additional bushfire hazard.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of bank of the waterway.
  - A site context plan and elevations showing:
    - Building and fencing heights using Australian Height Datum measured from ground level.
    - Areas and volume of cut and fill.
    - Site coverage and permeability.
    - Location and proposed material for fences.
    - A schedule of materials and finishes.
    - The existing landscape including topography and vegetation.
    - A visual impact assessment of proposed buildings and works from public viewing points along the waterway.
  - A landscape plan which includes:
    - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
    - Species that are sourced from the relevant municipal council's local planting guidelines where appropriate.

- A maintenance/weed/erosion control plan for all proposed revegetated areas immediately adjacent to the banks of the waterway.
- Measures for the protection of natural landforms, including appropriate approaches to vegetation retention and planting, ground preparation and the minimisation of ground disturbance.
- Measures to control and filter pollutants in stormwater leaving the property.
- In a Bushfire Prone Area, measures that appropriately manage the potential introduction of bushfire hazards.

– An assessment of the identified values and threats for the reach and the proposal's impact on the waterway corridor.

5.0 Decision guidelines

29/01/2026
GC282

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the scale, form, siting and design of buildings and works:
  - Present new buildings that are sensitively integrated with the natural landscape setting of the waterway corridor, including vegetation.
  - Provide suitable heights, avoid visual bulk, are stepped back from the frontage of the waterway corridor and adjacent public open space and use materials, colours and finishes that are sensitively integrated with the natural landscape setting of the waterway corridor.
  - Manage and limit new light spill and overshadowing on the waterway, adjacent public open space, and pedestrian and bicycle paths.
  - Result in soil disturbance that impacts the banks of the waterway or water quality.
- Whether the buildings or works will create an adverse visual impact:
  - From prominent locations such as ridgelines, hill faces, escarpments and landscape features.
  - Within waterway corridors.
  - From parks and reserves along the waterway corridor.
  - Within the vegetation canopy along the waterway corridor.
- Whether the spacing between buildings allows for:
  - the planting of appropriate vegetation and canopy trees to filter views of the development; and
  - the maintenance of views to the waterway corridor.
- Whether the development results in the loss of public access to the waterway and its parklands or creates inappropriate access to the waterway and its parklands.
- Whether proposed vegetation species are compatible with the local plant communities.
- The justification for the proposed removal of the vegetation and whether there are alternative options.
- The effect of removing vegetation on the landscape setting and biodiversity values of the waterway and whether the loss of vegetation can be managed onsite through rehabilitation or replaced with vegetation that will grow to a similar size within a reasonable timeframe.
- The scale of excavation associated with any works and its impact on existing vegetation and cultural values along the waterway.

- Whether any proposed earthworks and changes in the topography of the waterway corridor will detrimentally impact its local natural landscape character and environmental values.
- Whether the proposed fencing allows for the free movement of wildlife, minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Within a Bushfire Prone Area, whether landscaping and revegetation considers potential bushfire hazards.

20/01/2026
VC278

SCHEDULE 4 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as **SLO4**.

STONY CREEK

1.0 Statement of nature and key elements of landscape

20/01/2026
VC278

Stony Creek is a small suburban waterway that forms part of a connected system of rivers, wetlands and creeks.

Stony Creek rises in St Albans and travels approximately 13 kilometres southeast through industrial and residential areas including Sunshine, Tottenham, Footscray West and Yarraville to its confluence with Birrarung in Spotswood.

Areas of significance for the Traditional Owners, Wurundjeri Woi-wurrung and Bunurong, exist at various locations, and include stone tool sites, silcrete quarries, scar trees and burial places. Stony Creek and its landscape hold deeply embedded cultural and spiritual significance for the Traditional Owners and are recognised as a living and integrated natural entity.

Significant biodiversity throughout the creek corridor includes the Eastern Great Egret, Intermediate Egret, Common Sandpiper, Superb Fairy Wren, Eastern Froglet and Black and Silver Wattle.

Past engineering treatment of Stony Creek to manage flooding and erosion has significantly altered its natural setting and alignment. In many places the creek is culverted in concrete channels or grassy swales. Adjoining development frequently presents back fences or blank walls to the waterway, particularly through industrial areas. However, sections of the waterway corridor support clusters of vegetation and canopy trees within this highly modified environment.

The creek has been completely diverted underground through Sunshine and development constructed over its original alignment. As Sunshine develops as a major precinct, there will be opportunities to reflect Stony Creek's original alignment and heritage in future urban design and planting.

In the lower sections of Stony Creek the waterway corridor widens out at several linear reserves and parklands which offer a more natural landscape character. This includes Matthews Hill Reserve and Braybrook Grasslands in Braybrook, and McNish Reserve, West Gate Golf Course, Stony Creek Reserve and C.J. Cruickshank Park in Yarraville. Sections of the waterway corridor are connected by various local trails through these parklands.

At its confluence with Birrarung, there are patches of mangrove and saltmarsh in the lower areas of the estuary. Stony Creek Backwash Park in Spotswood, created within a former bluestone quarry and reinstated as a wetland, is now a haven for waterbirds.

While Stony Creek has been heavily impacted by development, many parts of the creek corridor still provide an important open space and green spine through the urban environment. To restore and enhance the creek's natural and heritage values, revitalisation work has occurred in places such as the Upper Stony Creek Wetlands in Sunshine North which has transformed a retarding basin into a thriving wetland system.

There are significant opportunities to work with Traditional Owners and the community to revegetate or naturalise the corridor and re-establish it as an ecological, landscape and recreational link through Melbourne's inner western suburbs.

Parts of the corridor are within and adjoin a Bushfire Prone Area. The management of bushfire hazards is an important part of waterway management.

2.0 Landscape character objectives to be achieved

20/01/2026
VC278

To enhance the role of the waterway as an integrated and continuous landscape corridor, protecting the environmental, cultural and landscape values of the waterway system.

To retain indigenous riparian vegetation and canopy trees or existing grasslands as the dominant landscape feature and enhance the revegetation and ecological improvement of the waterway corridor while managing the introduction of potential bushfire hazards.

To ensure the visual impact of buildings and works, including the storage of goods, is minimised when viewed from the waterway corridor.

To ensure that earthworks are minimised and do not affect the natural drainage function and landscape character of the waterway.

To ensure that fencing interfacing the waterway corridor is designed and located to be visually transparent and recessive in the landscape.

3.0 Permit requirement

29/01/2026
GC282

A permit is not required to:

- Construct a building or construct or carry out works in a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land subject to the Built Form Overlay if the following requirements are met:
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm, as reinstated; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry out works in a Precinct Zone if a masterplan has been approved under Clause 37.10-3.
- Construct a building or construct or carry out works in a zone other than a Housing Choice and Transport Zone, Activity Centre Zone and Precinct Zone or on land not subject to the Built Form Overlay if the following requirements are met:
  - the building is less than 6 metres in height above ground level;
  - the building provides no more than 50 square metres in additional gross floor area;
  - the building is constructed using muted, natural and low-reflective colours and materials;
  - the ground level does not change by more than 600mm; and
  - the buildings and works are sited more than 50 metres from the top of bank of the waterway.
- Construct a building or construct or carry works out by, or on behalf of, a public land manager to:
  - sustain the form and stability of stream beds and banks, regulate or control the flow of water in a watercourse; or
  - construct stream habitat works; or
  - maintain the landscape quality, health or bank stability of areas that have been restored or revegetated; or
  - maintain or repair existing assets; or
  - maintain or repair a pathway or trail.

A permit is required to remove, destroy or lop vegetation unless the vegetation:

- Has a height of less than 6 metres above ground level, a trunk diameter of less than 0.4 metres measured at 1.4 metres above ground level, and a canopy diameter of less than 4 metres; or
- Has been planted as part of a windbreak, plantation, orchard or horticulture; or
- Is identified as a weed species in the Advisory List of Environmental Weeds in Victoria; or

- Is removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria, a public authority or municipal council to construct or maintain the transport system; or
- Is being removed, destroyed or lopped as part of maintenance works carried out by, or on behalf of, a public land manager that:
  - has the capacity to adversely affect stream flow; or
  - improves biodiversity and habitat restoration; or
  - forms part of an approved management plan.

A permit is required to construct a fence, unless the fence:

- Is constructed by or on behalf of the Head, Transport for Victoria; or
- Is erected for a period of not more than 60 days and is being used for stock management or agricultural activities; or
- Is sited more than 50 metres from the top of bank of the waterway, and:
  - is a metal post and wire, timber or metal post and railing, wire mesh, chainmesh or similar open rural style fence up to 1.4 metres in height; or
  - is at least 50 percent transparent when viewed perpendicular to the fence line and is less than 1.8 metres in height.

4.0 Application requirements

29/01/2026
GC282

The following application requirements apply to an application for a permit under Clause 42.03, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- To remove, destroy or lop vegetation:
  - An assessment and justification of the proposed removal of the vegetation against the landscape character objectives of this schedule prepared by a suitably qualified person.
  - A description and accurate site plan denoting the position, height, number, trunk circumference, branch spread, slope of land and species of any vegetation to be removed.
  - A plan detailing the location of any new and replacement planting.
  - For land within a Bushfire Prone Area, an assessment of the risk of any new or replacement planting that may result in additional bushfire hazard.
- For any other application:
  - A site survey plan certified by a qualified surveyor clearly showing the location and the distance of all buildings and works from the top of bank of the waterway.
  - A site context plan and elevations showing:
    - Building and fencing heights using Australian Height Datum measured from ground level.
    - Areas and volume of cut and fill.
    - Site coverage and permeability.
    - Location and proposed material for fences.
    - A schedule of materials and finishes.

- The existing landscape including topography and vegetation.
- A visual impact assessment of proposed buildings and works from public viewing points along the waterway.

- A landscape plan which includes:
  - The type, location, quantity, height at maturity and botanical names of any proposed plants and details of any proposed tree protection zones.
  - Species that are sourced from the relevant municipal council's local planting guidelines where appropriate.
  - A maintenance/weed/erosion control plan for all proposed revegetated areas immediately adjacent to the banks of the waterway.
  - Measures for the protection of natural landforms, including appropriate approaches to vegetation retention and planting, ground preparation and the minimisation of ground disturbance.
  - Measures to control and filter pollutants in stormwater leaving the property.
  - In a Bushfire Prone Area, measures that appropriately manage the potential introduction of bushfire hazards.
- An assessment of the identified values and threats for the reach and the proposal's impact on the waterway corridor.

5.0 Decision guidelines

29/01/2026
GC282

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the scale, form, siting and design of buildings and works:
  - Present new buildings that are sensitively integrated with the natural landscape setting of the waterway corridor, including vegetation.
  - Provide suitable heights, avoid visual bulk, are stepped back from the frontage of the waterway corridor and adjacent public open space and use materials, colours and finishes that are sensitively integrated with the natural landscape setting of the waterway corridor.
  - Manage and limit new light spill and overshadowing on the waterway, adjacent public open space, and pedestrian and bicycle paths.
  - Result in soil disturbance that impacts the banks of the waterway or water quality.
- Whether the buildings or works will create an adverse visual impact:
  - From prominent locations such as ridgelines, hill faces, escarpments and landscape features.
  - Within waterway corridors.
  - From parks and reserves along the waterway corridor.
  - Within the vegetation canopy along the waterway corridor.
- Whether the spacing between buildings allows for:
  - the planting of appropriate vegetation and canopy trees to filter views of the development; and
  - the maintenance of views to the waterway corridor.

- Whether the development results in the loss of public access to the waterway and its parklands or creates inappropriate access to the waterway and its parklands.
- Whether proposed vegetation species are compatible with the local plant communities.
- The justification for the proposed removal of the vegetation and whether there are alternative options.
- The effect of removing vegetation on the landscape setting and biodiversity values of the waterway and whether the loss of vegetation can be managed onsite through rehabilitation or replaced with vegetation that will grow to a similar size within a reasonable timeframe.
- The scale of excavation associated with any works and its impact on existing vegetation and cultural values along the waterway.
- Whether any proposed earthworks and changes in the topography of the waterway corridor will detrimentally impact its local natural landscape character and environmental values.
- Whether the proposed fencing allows for the free movement of wildlife, minimises visual intrusion and limits impact on the natural flood and watercourse characteristics.
- Within a Bushfire Prone Area, whether landscaping and revegetation considers potential bushfire hazards.

43 HERITAGE AND BUILT FORM OVERLAYS

19/01/2006
VC37

43.01 HERITAGE OVERLAY

31/07/2018
VC148

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

Purpose

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

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

43.01-1 Permit requirement

16/10/2025
VC288

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy system attached to a building that primarily services the land on which it is situated if the system is visible from a street (other than a lane) or public park and if the schedule to this overlay specifies the heritage place as one where solar energy system controls apply.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Buildings or works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria.
  - Street furniture other than:
    - Traffic signals, traffic signs, bus shelters, fire hydrants, parking meters, post boxes and seating.
    - Speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.

  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
  - An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
  - Services normal to a building other than a dwelling or small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
▪ Subdivide land to realign the common boundary between two lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.	Clause 59.07
▪ Subdivide land into lots each containing an existing building or car parking space where: – 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:	

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: ▪ 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 59.07

43.01-2 Places in the Victorian Heritage Register

21/11/2017
VC141

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.

43.01-3 No permit required

14/12/2023
VC253

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.
- To construct a building or construct or carry out works for a small second dwelling if all the following requirements are met:
  - The building height must not exceed 5 metres.
  - The building must be finished using muted tones and colours.

43.01-4 Exemption from notice and review

14/01/2025
VC237

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle crossover.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.

- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling or a small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

43.01-5 Statements of significance

24/01/2020
VC160

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.
- A heritage place included in the schedule to this overlay on an interim basis.

43.01-6 Heritage design guidelines

31/07/2018
VC148

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

43.01-7 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in the schedule to this overlay.

43.01-8 Decision guidelines

24/01/2020
VC160

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.

- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.

43.01-9 Use of a heritage place

31/07/2018
VC148

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

43.01-10 Aboriginal heritage places

31/07/2018
VC148

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*.

24/09/2018
C88

SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0 Application requirements

24/02/2022
C131hbay

The following application requirements apply to an application for a permit under Clause 43.01, in addition to those specified in Clause 43.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A report explaining the proposal and how it addresses Clause 15.03-1.
- A report explaining how the proposal responds to the relevant sections of the *Hobsons Bay Heritage Study* (Hobsons Bay City Council, 2017), the *Guidelines for Infill Development in Heritage Areas in Hobsons Bay* (Helen Lardner Conservation & Design, June 2006) and the *Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay* (Helen Lardner Conservation & Design, June 2006).

2.0 Heritage places

11/02/2026
C133hbay

The requirements of this overlay apply to both the heritage place and its associated land.

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Precincts listed alphabetically by name of precinct note - precincts generally contain a mix of contributory and non-contributory buildings – refer to Citation in Hobsons Bay Heritage Study for details.								
HO1	*Cecil Street Heritage Precinct* Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes street trees only	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO2	*Cox's Garden Heritage Precinct* Cox's Garden, Williamstown **Heritage Design Guidelines:** Cox's Garden Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO3	*Dover Road and John Street Heritage Precinct* 33-35 and 36-44 Dover Road and 3-37 and 4-32 John Street, Williamstown Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO4	*Electra Street Heritage Precinct* Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes street trees only	Yes	No	No	No	No
HO5	*Esplanade Foreshore Heritage Precinct* Esplanade, Williamstown	No	No	Yes	Yes	Yes	No	No	No
HO6	*Esplanade Residential Heritage Precinct* 4-20 Esplanade, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO7	*Ferguson Street Civic and Commercial Heritage Precinct* Ferguson Street (part), Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO8	*Government Survey Heritage Precinct* Aitken Street, Ann Street, Cecil Street, Charles Street, Cole Street, Council Lane, Cropper Place, Electra Street, Esplanade, Ferguson Street, Giffard Street, Hamner Street, Illawarra Street, Jackson Street, Kanowna Street, Lyons Street, Melbourne Road, Morris Street, Nancy Court, Nelson Place, Osborne Street, Panama Street, Parker Street, Parramatta Street, Pasco Street, Perry Street, Railway Crescent, Railway Place, Railway Terrace, Rosseau Street, Smith Street, Thompson Street, Twyford Street, Verdon Street, Vulcan Grove and associated minor streets and lanes, Williamstown **Incorporated plan:** Point Gellibrand Coastal Park Master Plan – Revised July 2003 **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	There is no HO9								
HO10	*Grindlay's Estate Heritage Precinct* Brown Street, Collingwood Road (part), Douglas Parade (part), Elgin Street, Grindlay Street, Home Road (part), Irving Street, North Road (part), Rupert Street and Tait Street (part), Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO11	*Halls Farm Heritage Precinct* 2-52 Collingwood Road, 2-40 Tait Street, 313-353, Douglas Parade, Elphin Street, Farm Street, 48-112 Hall Street, 69-101 High Street, 14-66 and 23-81 Home Road and River Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO12	*Hanmer Street Heritage Precinct* Hanmer Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes street trees only	Yes	No	No	No	No
HO13	*Hannan's Farm Heritage Precinct*	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Castle Street, Collins Street, Esplanade (part), Gellibrand Street (part), Hannan Street, Knight Street, Osborne Street, (part), Swanson Street and Winifred Street in Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020								
HO14	*Hobsons Bay Railways Heritage Precinct* Land, buildings, landscaping and infrastructure associated with the Melbourne-Williamstown and Melbourne-Geelong railways	No	No	No	Yes	No	No	No	No
HO15	*Housing Commission of Victoria - Champion Road Estate Heritage Precinct* Cerberus Crescent, 63-89 Champion Road, Edina Street, Gem Street, and 2-44 Park Crescent, North Williamstown **Heritage Design Guidelines:** Housing Commission of Victoria Estates Heritage Precincts Heritage Design Guidelines 2020	No	No	Yes street trees only	Yes	No	No	No	No
HO16	*Housing Commission of Victoria - West Newport Estate Heritage Precinct* 16-32 Challis Street, 102-104, 124 and 103-117 Champion Road, 11-29 (south side) Croker Street, 2-28 Fowler Crescent, 134-154 Market Street and 21-23 Melrose Street, Newport. **Heritage Design Guidelines:**	No	No	No	Yes	Yes	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Housing Commission of Victoria Estates Heritage Precincts Heritage Design Guidelines 2020								
HO17	*James Street Heritage Precinct* 1-22 James Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO18	*Lenore Crescent Heritage Precinct* Lenore Crescent, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes street trees only	Yes	No	No	No	No
HO19	*Macquarie Street Heritage Precinct* 1-19 and 4-18 Macquarie Street and 80-92 Stevedore Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO20	*Melbourne Road Commercial Heritage Precinct* 314-344 Melbourne Road and 35 Davies Street, Williamstown **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO21	*Nelson Place Heritage Precinct* 1-3 Cole Street, 125-233 Nelson Place and 1 Parker Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes street trees only	Yes	No	No	No	No
HO22	*Newport Civic and Commercial Heritage Precinct* Hall Street (part), Mason Street (part) , 4 Market Street (Newport Bowls Club), 6 Market Street (Newport Scout Hall) and 24-28 Market Street (Newport RSL Hall), Melbourne Road (part) including 429-431 Melbourne Road, and 1 Walker Street, Newport **Statement of significance:** *Newport Civic and Commercial Heritage Precinct (HO22) Statement of Significance, June 2022*	No	No	No	Yes	No	No	No	No
HO23	*Newport Estate Residential Heritage Precinct* Agg Street, 2-24 and 3-29 Durkin Street, 15-17 Elizabeth Street, 2A and 14-40 Ford Street, 15 Kohry Lane, 81-93 Mason Street, 3-19 and 21-35 Mirls Street, 1-3 and 26-40 Newcastle Street, 1-15, 4-14, 40-56 and 37-41 Oxford Street, 5-13, 10 and 21 Ross Street, 30-56	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	and 31-73 Schutt Street, 19-33, 18-36, 35-75 and 38-82 Speight Street, 7-23 Steele Street, 19-23 and 24-30 Walker Street, 35-99 and 40-52 William Street, Newport **Statement of significance:** *Newport Estate Residential Heritage Precinct (HO23) Statement of Significance, June 2022*								
HO24	*Pasco Street Heritage Precinct* Pasco Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes street trees only	Yes	No	No	No	No
HO25	*Point Gellibrand Heritage Precinct* Point Gellibrand Foreshore Area, Williamstown **Incorporated plan:** Point Gellibrand Coastal Park Master Plan - Revised July 2003 **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	Yes
HO26	*Power Street Heritage Precinct* Power Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes street trees only	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO27	*Private Survey Heritage Precinct* Albert Street, Alfred Place, Alma Terrace, Bath Place, Blucher Terrace. Braw Street, Bronte Court, Bunbury Street, Chandler Street, Clark Street, Clough Street, College Street, Courtis Street, Cox's Garden, Crawford Street, Dalgarno Street, Davies Street, Douch Street, Douglas Parade (part), Dover Road, Dowman Street, Effingham Road, Eliza Street, Federal Street, Ferguson Street, Franklin Street, Freyer Street, Goss Terrace, Haslam Street, Hastings Road, Henry Street, Holland Court, Hosking Street, Hotham Street, James Street, Jobson Street, John Street, Latrobe Street, Lenore Crescent, Maclean Street, Macquarie Street, Mariner Street, Melbourne Road (part), Morris Lane, Napier Street, North Road (part), Oakbank Street, Paine Street, Pearson Street, Peel Street, Pentland Street, Power Street, Princes Street, Queen Street, Rennie Street, Richard Street, Roches Terrace, Rosny Place, Russell Place, Ryans Lane, Stanley Street, Station Road, Stevedore Street, Swan Court, The Strand, Thomas Street, Union Street, Waltham Street, Waterloo Street, Wellington Street, White Street, Wilkins Street, Yarra Street and related minor streets and lanes in Newport or Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO28	*Railway Crescent Heritage Precinct* Railway Crescent, Williamstown **Heritage Design Guidelines:**	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020 Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020								
HO29	*Solomit or Straw Houses Heritage Precinct* 169-175 Maidstone Street, Altona	Yes	No	No	Yes	No	No	No	No
HO30	*Spotswood Residential Heritage Precinct* Bolton Street (part), Craig Street (part), Forrest Street (part), George Street (part), Hope Street (part), Hudsons Road (part), McLister Street (part), Raleigh Street (part), Reed Street (part), Robb Street (part), Robert Street (part) and The Avenue (part) in Spotswood **Statement of Significance:** Spotswood Residential Heritage Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023) **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	Yes - street trees only	Yes	No	No	No	No
HO31	*The Strand Heritage Precinct* The Strand, Williamstown and Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO32	*Verdon Street Heritage Precinct* Verdon Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes	Yes	No	No	No	No
HO33	*Victoria Street Heritage Precinct* Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	Yes	Yes	No	No	No	No
HO34	*Williamstown Beach Heritage Precinct* Esplanade (part), Forster Street, Garden Street, Gellibrand Street (part), Giffard Street (part), Langford Street, Laverton Street, Little Osborne, Osborne Street (part), Railway Crescent (part) and Stewart Streets, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
	Heritage Places sorted alphabetically by street name								
HO35	*Port Phillip Stevedore Club Hall (former)* 25 Aitken Street, Williamstown	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Design Guidelines: Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO37	*'Heathville'* 171 Aitken Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO38	*Washingtonia Palm and Cotton Palm Trees* rear of 7 Albert Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO39	*Bluestone House* 25 Albert Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO40	*House* 7 Alfred Place, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO41	*Stone Pitched Road or Paved Yard* Altona Road, Altona	No	No	No	Yes	No	No	No	No
HO42	*'The Pines' Scout Camp* Altona Road, Altona	Yes	No	Yes	Yes	No	No	No	No
HO43	*Telegraph Hotel (former)* 17 Ann Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO44	*Time Ball Tower (also known as Former Point Gellibrand Lighthouse)* 6-18 Battery Road, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	-	-	Yes Ref No H1649	No	No
HO45	*Altona Primary School No. 3923 Complex and Trees (poplars and sugar gums)* 109 Blyth Street, Altona	No	No	Yes	Yes	No	No	No	No
HO46	*AGM Factory Complex (former)* 1 (part), 8 (part) and 21 (part) Simcock Avenue, Spotswood **Statement of Significance:**	No	No	No	Yes	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	AGM Factory Complex (Former) Statement of Significance (RBA Architects and Conservation Consultants, September 2023)								
HO47	*Shell Oil Complex* 39-81 Burleigh Street and Drake Street, Newport	No	No	No	Yes	No	No	No	No
HO48	*Six Riveted Oil Tanks (Part Shell Oil Complex)* Burleigh Street, Spotswood	No	No	No	Yes	No	No	No	No
HO49	*Commonwealth Oil Refinery Company Tank Farm – NP6 and NP7 storage tanks* 39-81 Burleigh Street, Spotswood	No	No	No	Yes	No	No	No	No
HO50	*House* 25 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO51	*Victorian Duplex – 'Flynn House'* 31-33 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO52	*Victorian Duplex* 35-37 Cecil Street, Williamstown **Heritage Design Guidelines:**	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO53	*Stags Head Hotel* 39 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO54	*House* 43 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO55	*House* 53 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO56	*House* 55 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO57	*George Hotel (former)*	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	82 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO58	*St Andrews Presbyterian Church Complex* 85-89 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO59	*Robertson Reserve Dutch Elms (former Market Reserve)* 105 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO60	*Williamstown Primary School No.1183* 111-119 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	-	-	Yes Ref No H1639	No	No
HO61	*St Mary's Roman Catholic Church Complex* 116 Cecil Street, Williamstown **Heritage Design Guidelines:**	Yes	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO62	*Morgan's Houses* 135-137 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO63	*House* 160 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO64	*House* 185 Cecil Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO65	*Newport Railway Workshops (former)* *2-78 Champion Road, Newport*	-	-	-	Yes	-	Yes Ref No H1000	No	No
HO66	*Quarryman's House - 'Clifton'* 13 Champion Road, Williamstown North	No	No	No	Yes	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO67	*Newport Railway Workshops Manager's Residence (former)* 57 Champion Road, Williamstown North	-	-	-	Yes	-	Yes Ref No H1839	No	No
HO68	*Newport Railway Workshops Deputy Manager's Residence (former)* 59 Champion Road and 1C Park Crescent, Williamstown North	-	-	-	Yes	-	Yes Ref No H1840	No	No
HO69	*Williamstown Cemetery* 89 Champion Road, Williamstown North	-	-	-	Yes	-	Yes Ref No H1837	No	No
HO70	*Altona Civic Offices Council Chambers (former)* 115 Civic Parade, Altona	Yes	Yes	No	Yes	No	No	No	No
HO71	House and Garden 176 Civic Parade, Altona	No	No	Yes	Yes	No	No	Yes	No
HO72	*House* 24 Clark Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO73	*Steam Packet Hotel* 13 Cole Street, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO74	*House* 52 Cole Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO75	*Row Houses* 73-75 Cole Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO76	*Caledonian Inn (former)* 77 Cole Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO77	*Cox's Garden Cottage* 11 Cox's Garden, Williamstown **Heritage Design Guidelines:** Cox's Garden Heritage Precinct Heritage Design Guidelines 2020 Private Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H487	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO78	*St. Helliers* 12 Cox's Garden, Williamstown **Heritage Design Guidelines:** Cox's Garden Heritage Precinct Heritage Design Guidelines 2020 Private Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H560	No	No
HO79	*Terrace Row* 10-16 Davies Street, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO80	*United Friendly Society (UFS) Dispensary (former)* 35 Davies Street, Newport **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO81	*Newport Power Station Gatehouse (former) and Canary Island Palms* Douglas Parade, Newport	No	No	Yes	Yes	No	No	Yes	No
HO82	*MMBW Spotswood Pumping Station (also known as Sewerage Pumping Station and Scienceworks)* 2 Booker Street, Spotswood	-	-	-	Yes	-	Yes Ref No H1555	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO83	*Nelson Bros Funeral Parlour Complex (former)* 37-43 Douglas Parade, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO84	*Victoria Inn* 65 Douglas Parade, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO85	*Terrace* 95-99 Douglas Parade, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO86	Shops and Residence (former) 121-123 Douglas Parade, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO87	*Prince Albert Hotel* 147-149 Douglas Parade, Williamstown **Heritage Design Guidelines:**	-	-	-	Yes	-	Yes Ref No H1793	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO88	*House* 199 Douglas Parade, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO89	*BP Australia Complex and Canary Island Palm Tree* 431 Douglas Parade, Spotswood	No	No	Yes	Yes	No	No	Yes	No
HO90	*'Waverley'* 116 Dover Road, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO91	*House* 118 Dover Road, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
	There is no HO92								
HO93	*Morning Star Hotel* 3 Electra Street, Williamstown	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Design Guidelines: Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO94	*Williamstown Mechanics Institute Complex* 9-17 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO95	*House* 12 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO96	*Excelsior Lodge of Industry Masonic Temple* 21-25 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO97	*House* 22 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO98	*Wesleyan Methodist Manse and Kindergarten (former)* 34 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO99	*Wesleyan Methodist Church (former)* 36 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO100	*House* 54 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO101	*House* 62 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO102	*House and Black Achan (Pippin) Pear Tree* 64 Electra Street, Williamstown **Heritage Design Guidelines:**	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO103	*House* 65 Electra Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO104	*Quarryman's House* 15 Elizabeth Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO105	*Quarryman's House* 17 Elizabeth Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO106	*Williamstown Dressing Pavilion (former)* 26 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H927	No	No
HO107	*House and Fence*	No	No	No	Yes	Yes	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	11 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO108	*Attached Houses* 12-13 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO109	*'Ellersie'* 14 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO110	*Sisters of St. Joseph Convent* 16 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO111	*House* 18 Esplanade, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO112	*House* 19 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO113	*Sturgess House* 23 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO114	*Fearon Reserve* 27 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO115	*'Berean'* 89 Esplanade, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020 Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020								
HO116	*'Lawn House' (former)* 92 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO117	*Hose* 93 Esplanade, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO118	Apartments 104 Esplanade, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO119	*'Brittanica'* 2 Ferguson Street, Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020 Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO120	*House* 4 Ferguson Street, Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020 Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO121	*Rose of Australia Hotel* 50-54 Ferguson Street, Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO122	*Melbourne Savings Bank (former)* 56-58 Ferguson Street, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020								
HO123	*Punshon's Federal Stores (former)* 82-84 Ferguson Street, Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO124	*City of Williamstown Municipal Offices and Town Hall (former) and Drinking Fountain* 104-112 Ferguson Street, Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO125	*'Braemar'* 182 Ferguson Street, Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO126	*Bristol Hotel* 190 Ferguson Street, Williamstown **Heritage Design Guidelines:** Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO127	*Row Houses* 6-8 Florence Street, Williamstown North	No	No	Yes	Yes	No	No	Yes	No
HO128	*Washingtonia Palm Tree Row* 8 Florence Street, Williamstown North	No	No	Yes	Yes	No	No	No	No
HO129	*House* 1 Forster Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO130	*Vacuum Oil Company Ltd Depot (former)* 29 Francis Street, Yarraville	No	No	Yes	Yes	No	No	Yes	No
HO131	*House* 1 Freyer Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	Yes	No	No	No
HO132	*Williamstown Italian Social Club* 30 Garden Street, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020								
HO133	*House and Fence* 4 Grindlay Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	Yes	No	No	No
HO134	*Spotswood Railway Station Complex* Hall Street and Hope Street, Spotswood **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO135	*Spotwood Railway Signal Box* Junction of Hall Street, Hope Street and Hudson Road, Spotswood	Yes	Yes	No	Yes	No	No	No	No
HO136	*Newport Railway Station Complex,* Pepper and Lily Trees Hall Street and Melbourne Road, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO137	*Newport Commercial Bank (former)*	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	1 Hall Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020								
HO138	*Junction Hotel* 15 Hall Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO139	*W. Goetz & Sons Ltd Complex (former)* 136-140 Hall Street, Newport	No	No	No	Yes	No	No	Yes	No
HO140	*Bickford, Smith and Co. Explosives Factory (former)* 144-150 Hall Street, Spotswood	No	No	No	Yes	No	No	No	No
HO141	*'Alloa'* 168 Hall Street, Spotswood	Yes	No	Yes	Yes	No	No	No	No
HO142	*House and Soap Factory (former)* 184 Hall Street, Spotswood	No	No	Yes	Yes	No	No	No	No
	There is no HO143								
HO144	*Williamstown Railway Station Complex* 17 Hanmer Street, Williamstown **Heritage Design Guidelines:**	-	-	-	Yes	-	Yes Ref No H1599	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO145	*House* 6 Hanmer Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes	Yes	No	No	No	No
HO146	*Terminus Hotel (former)* 40 Hanmer Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO147	*House* 46 Hanmer Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO148	*House* 28 Home Road, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO149	*Home Road Kindergarten*	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	48-50 Home Road, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020								
HO150	*State Savings Bank House* 56 Home Road, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO151	*Houses* 1-3 Hope Street, Spotswood **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO152	*Afon Ros Cottage and House* 5-7 Hope Street, Spotswood **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO154	*Spottiswoode Hotel* 62 Hudsons Road, Spotswood	Yes	No	No	Yes	No	No	No	No
HO155	*Spotswood State Savings Bank (former)* 96 Hudsons Road, Spotswood	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO156	*House* 11 James Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO157	*House* 22 James Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO158	*House* 3 John Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO159	*Shop (former) and Residence* 55 John Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO160	*Primitive Methodist Church (former)* 59-61 John Street, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO161	*House* 8 Junction Street, Newport	Yes	No	No	Yes	No	No	No	No
HO162	*Britannia Hotel* 14 Kanowna Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO163	*'Omega'* 48 Kanowna Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO164	*Laverton State School No. 2857 (former)* 43 Kiora Street, Altona Meadows	Yes	No	No	Yes	No	No	Yes	No
HO165	*Merrett Rifle Range Pavilion (former)* 81 Kororoit Creek Road, Williamstown	No	No	No	Yes	No	No	No	No
HO167	*House* 16 Latrobe Street, Newport **Heritage Design Guidelines:**	Yes	No	Yes	Yes	Yes	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO168	*Dennis (Lyons Street) Reserve and Coronation Lamp* Lyons Street and Melbourne Road, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes – lamp only	No	Yes	Yes	No	No	No	No
HO169	*Presbyterian Manse (former)* 27 Lyons Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H229	No	No
HO170	*'Rheola'* 28 Lyons Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO171	*House* 9 Maclean Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO172	*House*	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	3 Macquarie Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO173	*Newport Lakes and Trees (former Newport Quarry)* entrance Margaret Street, Newport	No	No	Yes	Yes	No	No	No	No
HO174	*House* 19 Mariner Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO175	*Victorian Railways Type A Electricity substation (former)* 1 Market Street, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	Yes	No	Yes	No	No	No	No
HO176	*Newport World War 1 Memorial* Mason Street, Newport **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO177	*Newport Hotel (former)* 1 Mason Street, Newport	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Design Guidelines: Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020								
HO178	*Newport Mechanics' Institute (former)* 13 Mason Street, Newport **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO179	*Shop and Residence* 15-17 Mason Street, Newport **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO180	*Newport Baptist Church Complex* 24-26 Mason Street, Newport **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes - church only	No	Yes	No	No	No	No
HO181	*House* 35 Mason Street, Newport	No	No	No	Yes	No	No	No	No
	There is no *HO182*								
HO183	*'St Arnaud'*	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	65 Mason Street, Newport								
HO184	*House* 85 Mason Street, Newport **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO185	*Victorian Railways Stores Branch Complex and Trees* McLister Street, Spotswood	No	No	Yes	Yes	No	No	Yes	No
HO186	*WC Thomas & Sons Flour Mill (former)* 1 McRobert Street, Newport	No	No	No	Yes	No	No	Yes	No
HO187	*Chusan or Chinese Fan Palm Trees* 33 Melbourne Road, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO188	*House* 89 Melbourne Road, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO189	*House* 110 Melbourne Road, Williamstown	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Design Guidelines: Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO190	*'Cloverley'* 149 Melbourne Road, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO191	*St. Stephen's Manse* 177 Melbourne Road, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
	There is no HO192								
HO193	*House and Kauri Pine Tree* 242-244 Melbourne Road, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO194	*Houses* 272-274 Melbourne Road, Newport **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO195	*Houses* 278 and 280 Melbourne Road, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO196	*Shop and Dwelling* 300-302 Melbourne Road, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO197	*Masonic Temple No. 5925* 405 Melbourne Road, Newport **Heritage Design Guidelines:** Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO198	*House* 471 Melbourne Road, Newport	Yes	No	No	Yes	No	No	No	No
HO199	*House* 481 Melbourne Road, Newport	Yes	No	No	Yes	No	No	No	No
HO200	*Spotswood Railway Workshops Complex (former)*	No	Yes	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	561-569 Melbourne Road, Spotswood								
HO201	*Melbourne-Geelong Railway Bridge and Stone Ford over the Laverton Creek* intersection Merton Street and Railway Avenue, Altona Meadows	No	No	No	Yes	No	No	No	No
HO202	*Administration building* *Part of the Standard Vacuum Refining Company Complex (former)* 351- 381 Millers Road, Altona	No	No	No	Yes	No	No	No	No
HO203	*Main Outfall Sewer (Hobsons Bay Section)* Millers Road to Princes Highway, Brooklyn	-	-	-	Yes	-	Yes Ref No H1932	No	No
HO204	*MMBW Brooklyn Pumping Station* 87 Millers Road, Altona North	No	No	No	Yes	No	No	No	No
HO205	*Fort Gellibrand* Battery Road, Williamstown	-	-	-	Yes	-	Yes Ref No H1811	No	No
HO206	*Williamstown Tennis Club Pavilion* 73 Morris Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO207	*Gellibrand Pier and Breakwater Pier*	-	-	-	Yes	-	Yes	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Nelson Place and Battery Road, Williamstown						Ref No H1088 (part)		
HO208	*Williamstown War Memorial* Intersection of Nelson Place and Ferguson Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO209	*Alfred Graving Dock* Williamstown Dockyard, 2-10 Nelson Place, Williamstown	-	-	-	Yes	-	Yes Ref No H697	No	No
HO210	*Prince of Wales Hotel (former)* 1 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO211	*Oriental Hotel (former)* 55 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO212	*Royal Hotel (former)* 85 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H1770	No	No
HO213	*'Craigantina'* 125-129 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO214	*Customs House (former)* 128 Nelson Place and 18-34 Syme Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H894	No	No
HO215	*Shops and Residences* 131-137 Nelson Place, Williamstown **Heritage Design Guidelines:**	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020								
HO216	*English, Scottish and Australian Bank (former)* 139 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO217	*Shops and Residences* 141-143 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO218	*Shops and Residences* 145-147 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Nelson Place Heritage Precinct Heritage Design Guidelines 2020								
HO219	*Shops and Residences* 151-153 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO220	*Bay View Hotel (former) and Shop* 175 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO221	*Bank of Australasia (former)* 189 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H1769	No	No
HO222	*Commercial Bank Of Australia (former)*	Yes	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	193 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020								
HO223	*'Salisbury Buildings'* 195-203 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO224	*Williamstown Advertiser Building (former),* 205 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H865	No	No
HO225	*Yacht Club Hotel* 207 Nelson Place, Williamstown **Heritage Design Guidelines:**	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020								
HO226	*Modern Buildings* 213-215 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO227	*Residence (also known as Wilkins House (former))* 231 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H231	No	No
HO228	*Holy Trinity Church, Vicarage and Hall* 255 Nelson Place, and 2 Pasco Street and 8-12 Pasco Street and 144-158 Aitken Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H1734	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Nelson Place Heritage Precinct Heritage Design Guidelines 2020								
HO229	*Jackson Court* 263 Nelson Place, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO230	*St. Joseph's Roman Catholic Convent and Presbytery* 7-9 Newcastle Street, Newport	Yes	No	No	Yes	No	No	No	No
HO231	*Sacred Heart Catholic Complex* 20 Newcastle Street, Newport	Yes	Yes church only	No	Yes	No	No	No	No
HO232	*Newport Coffee Palace (former)* 24 Newcastle Street, Newport	Yes	No	No	Yes	No	No	No	No
	There is no HO233								
HO234	*Terrace* 64-70 North Road, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO235	*House*	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	88 North Road, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020								
HO236	*House* 115 North Road, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO237	*House* 127 North Road, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO238	*Williamstown Botanical Gardens* 97 Osborne Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H1803	No	No
HO239	*House* 21 Osborne Street, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO240	*House and Pepper Trees* 54 Osborne Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO241	*Cotton Palm, English Oak and Lily Pilly Trees* 197 Osborne Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO242	*Williamstown Post and Telegraph Office (former)* 1 Parker Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO243	*Williamstown Chronicle Office (former)* 8 Parker Street, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Government Survey Heritage Precinct Heritage Design Guidelines 2020 Nelson Place Heritage Precinct Heritage Design Guidelines 2020								
HO244	*Maclean Residence and Surgery (former)* 10 Parker Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO245	*Shop and Residence (former)* 28 Parker Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO246	*Shops and Residences* 30-32 Parker Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO247	*House* 14 Pasco Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO248	*Manchester Unity Independent Order of Oddfellows Hall (former)* 26 Pasco Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	Yes	No	Yes	No	No	No	No
HO249	*Tudor House* 52-54 Pasco Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H1857	No	No
HO250	*'Ashton Villa'* 64 Pasco Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO251	*'St. Ayles'* 72 Pasco Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	Yes	No	No	No
HO252	*Jelly Palm, Stone Pine and Oak Trees* 74 Pasco Street, Williamstown	Yes	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Design Guidelines: Government Survey Heritage Precinct Heritage Design Guidelines 2020								
HO253	*Williamstown High School Complex* 76 Pasco Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO254	*House* 19 Pearson Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO255	*Altona Pier* Pier Street and The Esplanade, Altona	No	No	No	Yes	No	No	No	No
HO256	*Red Robin Hosiery Factory (former)* 119 Pier Street, Altona	No	No	No	Yes	No	No	Yes	No
HO257	*Cheetham Salt Works (former)* Point Cook Road, Laverton	No	No	Yes	Yes	Yes	No	No	No
HO258	*North Williamstown Railway Station Complex* Corner Champion & Kororoit Creek Roads, North Williamstown	No	No	No	Yes	No	No	Yes	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO259	*Bluestone Bridge over Kororoit Creek* Princes Highway, Brooklyn	No	No	No	Yes	No	No	No	No
HO260	*Laverton Homestead (former)* 128 –155 Queen Street, Altona	Yes	Yes	Yes	Yes	No	No	No	No
HO261	*Truganina Explosives Magazine Complex (former) and Trees* 276 Queen Street, Altona	No	No	Yes	Yes	Yes	No	Yes	Yes
HO262	*Williamstown Racecourse Site (former) and Canary Island Palm Tree* Racecourse Road, Altona	No	No	Yes	Yes	No	No	No	No
HO263	*House* 88 Railway Crescent, Williamstown	Yes	No	No	Yes	No	No	No	No
HO264	*Williamstown Beach Railway Station* Railway Crescent and Railway Place, Williamstown	Yes	No	No	Yes	No	No	No	No
HO265	*St Mary's Roman Catholic School and former Church and Camphor Laurel Tree* Railway Street North, Altona	Yes	Yes – church only	Yes	Yes	No	No	Yes	No
HO266	*House* 6 Rennie Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO267	*House* 3 Rupert Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO268	*Altona Baptist Church* 14 Sargood Street, Altona	No	Yes –- church only	No	Yes	No	No	No	No
HO269	*Solomit or Straw House* 2 Seaview Crescent, Seaholme	Yes	No	No	Yes	No	No	No	No
HO270	*House* 4 Smith Street, Williamstown	No	No	No	Yes	No	No	No	No
HO271	*House* 41 Speight Street, Newport **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO272	*'Alcroft'* 13 Station Road, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO273	*Seaholme Railway Station Complex and Trees*	No	No	Yes	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Station Street, Seaholme								
HO275	*House* 8 Stevedore Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO276	*'Alroy'* 13 Stevedore Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	Yes	No
HO277	*Shops (former) and Residence* 46-48 Stevedore Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	Yes	No
HO278	Napier Hotel (former 52 Stevedore Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	Yes	No
HO279	*Congregational Church (former)* 57 Stevedore Street, Williamstown	Yes	Yes	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Heritage Design Guidelines: Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO280	*Salvation Army Temple* 83 Stevedore Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	Yes	No	Yes	No	No	No	No
HO281	*Alfred Hotel (former)* 92 Stevedore Street, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO282	*'White House'* 5 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO283	*'Maritimo' Fence* 8-9 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO284	*Terrace Houses and Fence* 10-11 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	Yes	No	No	No
HO285	*House* 12 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO286	*House – formerly 'Craigdoon'* 14 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO287	*'Mandalay' (former Abberton House)* 24 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H232	No	No
HO288	*'Tarneit'* 28 The Strand, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO289	*'Clouera'* 53 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO290	*'Dachet'* 62 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO291	*'Sea Gates'* 62 The Strand, Williamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO292	*'Monomeath'* 67-68 The Strand, Wiliamstown **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO293	*'Allambie'*	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	69 The Strand, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO294	*House* 74 The Strand, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO295	*House* 75 The Strand, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO296	*House* 77 The Strand, Newport **Heritage Design Guidelines:** Private Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO297	*House* 94 The Strand, Williamstown **Heritage Design Guidelines:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Private Survey Heritage Precinct Heritage Design Guidelines 2020								
HO299	*Police Station, Seargeant, Watch House, Keepers quarters (former)* 8-10 Thompson Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO300	*Elm Trees* 14 Thompson Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	Yes	Yes	No	No	No	No
HO301	*Bridge Hotel (former)* 72 Thompson Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	-	-	-	Yes	-	Yes Ref No H1792	No	No
HO302	*House* 97 Thompson Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO303	*Commonwealth Oil Refinery Complex (former)* 32-54 Toll Drive, Altona North	No	No	No	Yes	No	No	Yes	No
	There is no HO304								
HO305	*Phaup's Beach Hotel (former)* 41 Twyford Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO306	*Norfolk Island Pines* 50 Verdon Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	Yes	Yes	No	No	No	No
HO307	*House* 75 Verdon Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO308	*'Erith'* 95 Verdon Street, Williamstown **Heritage Design Guidelines:** Government Survey Heritage Precinct Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO309	*Wild Kaffir Plum Tree* 49 Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	Yes	Yes	No	No	No	No
HO310	*House* 51 Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO311	*Kauri Pine and Ginkgo Tree* 60 Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	Yes	Yes	No	No	No	No
HO312	*House* 80 Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO313	*Williamstown Croquet Club Pavilion* 104 Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO314	*House* 115 Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	Yes	Yes	Yes	No	No	No
HO315	*Rifle Club Hotel* 121 Victoria Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	Yes	No	No	Yes	No	No	No	No
HO316	*House* 1 Yarra Street, Williamstown **Heritage Design Guidelines:** Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
HO322	*Mason Street Ecclesiastical and Residential Heritage Precinct* 53-63 and 67-71 Mason Street, Newport **Statement of significance:** *The Mason Street Ecclesiastical and Residential Heritage Precinct (HO322) Statement of Significance, June 2022*	No	No	No	Yes	No	No	No	
HO323	*War Service Homes Commission Precinct* Melbourne Road (part), Hudsons Road (part), Reed Street (part), Spotswood **Statement of Significance:** War Service Homes Commission Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023) **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020	No	No	No	Yes	No	No	No	No
HO324	*Alloa Park Estate Precinct* 154 – 170 Hall Street, Spotswood **Statement of Significance:** Alloa Park Estate Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	No	No	No	Yes	No	No	No	No
HO325	*Australian Glass Manufacturers' Housing Heritage Precinct*	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Bernard Street, Robb Street and 36 Craig Street, Spotswood **Statement of Significance:** Australian Glass Manufacturers' Housing Heritage Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023) **Heritage Design Guidelines:** Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020								
HO326	*Spotswood State School No. 3659* 598 Melbourne Road, Spotswood **Statement of Significance:** Spotswood State School No. 3659 Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	No	No	No	Yes	No	No	No	No
HO327	*Shops* 87-89 Hudsons Road, Spotswood Statement of significance: Shops - 87-89 Hudsons Road, Spotswood Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	No	No	No	Yes	No	No	No	No
HO328	*Baco Food Products Factory* 121-129 Craig Street, Spotswood **Statement of Significance:**	No	No	No	Yes	No	No	No	No

PS map ref	Heritage place	External paint controls apply?	Internal alteration controls apply?	Tree controls apply?	Solar energy system controls apply?	Outbuildings or fences not exempt under Clause 43.01-4	Included on the Victorian Heritage Register under the Heritage Act 2017?	Prohibited uses permitted?	Aboriginal heritage place?
	Baco Food Products Factory Statement of Significance (RBA Architects and Conservation Consultants, September 2023)								

43.02 DESIGN AND DEVELOPMENT OVERLAY

31/07/2018
VC148

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

Purpose

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

To identify areas which are affected by specific requirements relating to the design and built form of new development.

43.02-1 Design objectives

19/01/2006
VC37

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

43.02-2 Buildings and works

20/04/2026
VC307

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
  - To the construction of a building or construction or carrying out of works for a small second dwelling if all the following requirements are met:
    - The building height must not exceed 5 metres.
    - The building must be finished using muted tones and colours.
- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Construct a fence.	Clause 59.05
Construct a building or construct or carry out works for:	Clause 59.05

Class of application	Provision
▪ A carport, garage, pergola, verandah, deck, shed or similar structure. ▪ 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 Subdivision

16/10/2025
VC288

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Provision
Subdivide land to realign the common boundary between two lots where: ▪ 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: ▪ 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

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.02-4 Signs

31/07/2018
VC148

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

10/09/2021
C126hbay

SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO1**.

WESTGATE BRIDGE APPROACHES

1.0 Design objectives

10/09/2021
C126hbay

To ensure the adequate safety and amenity of the West Gate Bridge and its approach viaducts, motorists using the bridge and nearby properties.

2.0 Buildings and works

20/01/2022
VC205

A permit is required for a building or works within 46 metres of the Transport Zone 2 between Hyde Street and Hall Street.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

None specified.

6.0 Decision guidelines

20/01/2022
VC205

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 possible risk of any damage from fire both to buildings and works on the land and to structures and works constructed on the Transport Zone 2.
- The views of the Head, Transport for Victoria.

10/09/2021
C126hbay

SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

BIRMINGHAM STREET AREA

1.0 Design objectives

10/09/2021
C126hbay

To ensure that development enhances the amenity of Melbourne Road and the residential area along Birmingham Street.

2.0 Buildings and works

10/09/2021
C126hbay

All buildings and works, except those to be used for accommodation purposes, should be set back at least 20 metres from Birmingham Street.

All buildings and works should be set back at least 9 metres from Melbourne Road, except for vehicle and pedestrian access ways to Melbourne Road.

The set back area shall be landscaped and maintained in accordance with a landscaping plan approved by the responsible authority.

No vehicle access or egress driveways shall be constructed to Birmingham Street except:

- those required for emergency purposes; and
- those required for access to a residential development.

No accommodation shall be constructed so that any part of a dwelling or its private open space is within 30 metres of an industrial zone.

No tree shall be removed without the consent of the responsible authority.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

None specified.

6.0 Decision guidelines

10/09/2021
C126hbay

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 effect of the development on existing vegetation on the site.
- The proximity of any residential component to the adjoining industrial zone.

10/09/2021
C126hbay

SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO3**.

65 NELSON PLACE, WILLIAMSTOWN

1.0 Design objectives

10/09/2021
C126hbay

To provide design and development guidelines for 65 Nelson Place.

To encourage well designed medium density residential development.

To encourage development that complements the character of the heritage precinct, including form, mass and elevation treatment of the development.

To ensure that new development does not adversely affect the significance of a heritage place.

2.0 Buildings and works

10/09/2021
C126hbay

- Car parking should be provided at a rate of at least one parking space per 1 bedroom apartment and 2 parking spaces per 2/3 bedroom apartment.
- The development should provide a well controlled single entry/access for vehicles on Ann Street.
- The development should provide safe pedestrian access from each street frontage. Safe access is to be provided to the car parking area.
- The development should be suitably articulated to emphasise vertical elements and separate dwellings.
- The development should ensure that overlooking is managed (both within and without the site) through careful design treatment.
- The development must ensure there is adequate management and treatment of waste disposal and pick up for each unit on site.
- Before a revised development plan is approved, a Section 173 agreement should be executed whereby the owner of the land agrees to undertake an archaeological survey and photographic record of significant relics and structures prior to commencement of the buildings and works.
- Before a revised development plan is approved, a Section 173 agreement should be executed whereby the owner of the land agrees to a specific apportionment of development contribution costs.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

None specified.

6.0 Decision guidelines

10/09/2021
C126hbay

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 compliance with the permit requirements.

- Any applicable heritage study and any applicable conservation policy.
- Whether the location, bulk, form or appearance of the proposal will adversely affect the significance of the former Royal Hotel, the Nelson Place Conservation Precinct and any 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 former Royal Hotel.
- Whether the proposed works will adversely affect the significance, character or appearance of the former Royal Hotel.
- Whether proposed signage will adversely affect the significance, character or appearance of the heritage place.

10/09/2021
C126hbay

SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4**.

FORESHORE HEIGHT LIMITATION

1.0 Design objectives

10/09/2021
C126hbay

To protect and enhance the environment of the Hobsons Bay foreshore as an environmental, conservation and recreational asset of State, metropolitan and local significance.

To ensure that the height, scale, bulk, setback and appearance of new development is compatible with the prevailing character of the area.

To achieve development that is a high quality architectural and urban design standard.

To preserve solar access to the foreshore, including associated roadways, bicycle and pedestrian paths.

To protect and enhance key views and vistas.

To protect the foreshore reserve and significant public open spaces from inappropriate development.

2.0 Buildings and works

10/09/2021
C126hbay

Building Height

A permit may not be granted to construct a building or to construct or carry out works exceeding a height of two storeys.

The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

None specified.

6.0 Decision guidelines

10/09/2021
C126hbay

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 any increase in size and scale above that of surrounding buildings is to an increment that can be absorbed by the character of the neighbourhood.
- Whether the development is positioned on the site to characteristics that predominate in the neighbourhood.
- How the development replicates or interprets the broad forms (such as span, shape, arrangement of ridges, use of gables or hips), pitch and eaves details of roofs that predominate in the neighbourhood.

- Whether the development integrates into the design treatment of the walls and elevations – particularly the height of the eaves – the typical floor-to-ceiling heights found in the neighbourhood.
- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.
- How the development relates the front garden and fence treatments to its surroundings.
- Whether the development builds in the dominant waterfront style with a contemporary interpretation.
- Whether the application incorporates existing building forms that contribute to a seaside character.
- Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, ballustrades and gable ends.
- Whether any increase in height from an adjoining property provides a transition from the lower.
- Whether the height of any new development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual bulk and wind tunneling.
- Whether views of garages and carports from the front are minimised.
- Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
- That the height of new development is not to result in amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
- Whether the overshadowing of public spaces is minimised.

10/09/2021
C126hbay

SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO5**.

NEWPORT LAKES RESIDENTIAL DEVELOPMENT

1.0 Design objectives

10/09/2021
C126hbay

The design objectives for the area are:

- To minimise the visual impact of any new development to preserve the general amenity of the park, particularly the unique landscape qualities of Newport Lakes parkland which create a strong sense of enclosure, association and a feel of seclusion and removal from the surrounding urban fabric.
- To ensure that enjoyment of the public park is not diminished by overlooking from any new development.
- To respond to existing significant views from within and around the parklands.
- To ensure new development on the site that is opposite or nearby established residential areas, respects the form, scale and character of the existing residential development in those areas.
- To ensure the use and development of the site is compatible with the industry on the abutting site.

Specific Design Objectives

- To ensure that any buildings and works do not interrupt the escarpment line as viewed from the north and south lakes areas within the parklands.
- To ensure that residents of any proposed residential development are aware that noise attenuation measures have been undertaken to minimise conflict with adjacent industrial activities.
- To ensure that any development on the site makes provision to protect residential users from noise emanating from industrial properties on the adjoining or nearby land
- To ensure that any new residential development on the site includes appropriate acoustic or other measures to attenuate industrial noise generated by the abutting industrial property both within the residences and the external living areas.

2.0 Buildings and works

10/09/2021
C126hbay

No buildings are to interrupt the escarpment line as viewed from the north and south lakes areas within the parklands.

Buildings are to respect the form, character, scale, front setbacks and front boundary treatments of nearby residential developments in Johnston Street.

Buildings and works are to include adequate separation from the parkland with landscape treatment within the setback that respects the existing vegetation in the parkland.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

None specified.

6.0 Decision guidelines

10/09/2021
C126hbay

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 form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the context of the site.
- The extent to which the significant views from within the Newport Lakes parklands are retained and enhanced.
- The landscaping treatment along parkland boundary and the extent to which it responds to the existing vegetation in the parkland.
- The proximity of any residential component to the adjoining industrial zone and use.
- Whether the development is designed and constructed to include noise attenuation measures such as acoustic fencing, double glazing or other acoustic techniques.
- Whether a report from an appropriately qualified acoustic engineer indicates how the building is designed in such a way that when built, the internal noise level implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1 are achieved.
- Whether a signed report provided by a qualified acoustic engineer certifies upon the completion of the residential development that each residence complies with the internal noise level implied under N-1.
- Whether a suitable noise environment can be achieved by adoption of appropriate distance separation from industry noise or by the siting and design of dwellings including habitable rooms, windows, private open space and garages.

11/02/2026
C133hbay

SCHEDULE 6 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO6**.

NEWPORT STRUCTURE PLAN – NORTHERN PRECINCT

1.0 Design objectives

11/02/2026
C133hbay

To ensure development provides active and articulated ground level street frontages to Melbourne Road.

To ensure development is respectful of the scale and architectural features of heritage buildings and places.

To encourage development that accommodates a mix of retail, hospitality and commercial at ground level, and office and residential uses at upper levels.

To encourage sustainability and innovation in built form.

To ensure development is designed to mitigate noise impacts from the railway corridor, is set back from pipeline infrastructure and responds to any constraints associated with the Newport Terminal Major Hazard Facility.

2.0 Buildings and works

11/02/2026
C133hbay

A permit may be granted to construct a building or construct or carry out works in Areas A, B, C or D which do not comply with the building height, street setback and residential interface requirements specified in Tables 1-4 of this schedule.

The requirements in Tables 1-4 apply to an application to construct a building or construct or carry out works.

Map 1

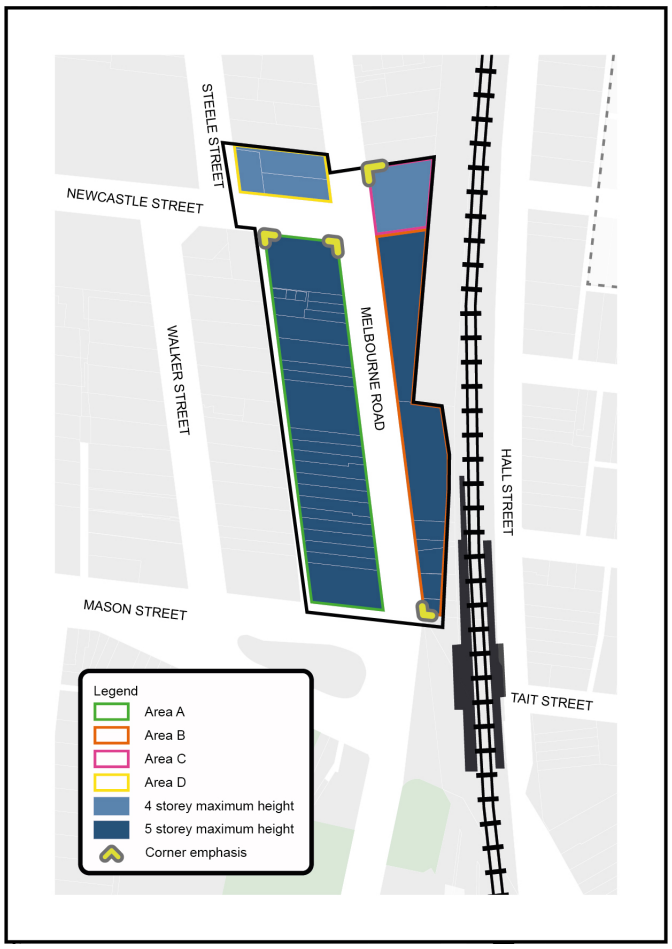


Table 1. Area A – West side of Melbourne Road

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 18 metres and 5 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have a floor-to-floor height of 3.5 metres.
Street setback	Walls of buildings should be set back from the front street: ▪ 0 metres up to and including a height of 11 metres (or matching the height of an existing adjoining building) with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres. For a corner site, walls of buildings should be set back from the side street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ Building levels above 3 storeys should be distinctly recessed from the side street podium wall.
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 1.5 metres. For multi-storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 4.5 metres.
Public realm interface	New buildings should: ▪ Provide active and articulated ground floor frontage for sites facing Melbourne Road, Mason Street or Newcastle Street (minimum 80% active frontage). ▪ Provide verandah awnings or similar weather protection for pedestrians for frontages on Melbourne Road, Newcastle Street and Mason Street. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
Residential interface	New buildings should not significantly overshadow existing secluded private open space.
Corner emphasis	Buildings on corner sites should provide active and articulated ground floor frontages to both streets. Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

Table 2. Area B – East side of Melbourne Road

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 18 metres and 5 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have a floor-to-floor height of 3.5 metres.
Street setback	Walls of buildings should be set back from the front street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.
Railway interface	New buildings should: ▪ Provide acoustic mitigation and absorption along the railway interface to alleviate noise impacts and minimise the rebound of rail noise onto Hall Street. ▪ Provide articulated built form along the railway interface to avoid blank walls facing the railway corridor. ▪ Utilise a diverse range of building materials for built form adjacent to the railway corridor. ▪ Be set back from pipeline easements.
Public realm interface	New buildings should: ▪ Provide active and articulated ground floor frontage for sites facing Melbourne Road and the Newport Station entrance forecourt (minimum 80% active frontage). ▪ Provide awnings or similar pedestrian shelter for sites facing Melbourne Road. ▪ Facilitate improved pedestrian links from the east side of Melbourne Road to the Newport train station entrance and underpass. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
Corner emphasis	Building design should emphasise the corner location shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

Table 3. Area C – East side of Melbourne Road (residential interface)

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 14.5 metres and 4 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have a floor-to-floor height of 3.5 metres.

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Street setback	Walls of buildings should be set back from the front street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.
Railway interface	New buildings should: ▪ Provide acoustic mitigation and absorption along the railway interface to alleviate noise impacts and minimise the rebound of rail noise onto Hall Street. ▪ Provide articulated built form along the railway interface to avoid blank walls facing the railway corridor. ▪ Utilise a diverse range of building materials for built form adjacent to the railway corridor. ▪ Be set back from pipeline easements.
Residential interface	New buildings along the northern boundary of Area C should limit the impact on the amenity of existing dwellings and secluded private open space through a suitable design response.
Public realm interface	New buildings should: ▪ Provide active and articulated ground floor frontage for sites facing Melbourne Road (minimum 80% active frontage). ▪ Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
Corner emphasis	Building design should emphasise the corner location shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 14.5 metres.

Table 4. Area D – Residential transition (461-463 Melbourne Road)

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 14.5 metres and 4 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have a floor-to-floor height of 3.5 metres.
Street setback (Melbourne Road and Newcastle Street)	Walls of buildings facing Melbourne Road should be set back: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Walls of buildings facing Newcastle Street should be set back:

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
	▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ Building levels above 3 storeys should be distinctly recessed from the Newcastle Street podium wall. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres.
Residential interface	New buildings along the northern boundary of Area D should limit the impact on the amenity of existing dwellings and secluded private open space through a suitable design response.
Public realm interface	New buildings should: ▪ Provide active and articulated ground floor frontage for sites facing Melbourne Road and the corner of Newcastle Street (minimum 80% active frontage). ▪ Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road and Newcastle Street. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.

3.0 Subdivision

11/02/2026
C133hbay

None specified.

4.0 Signs

11/02/2026
C133hbay

None specified.

5.0 Application requirements

11/02/2026
C133hbay

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 report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay.
- An acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority which:
  - Takes into consideration, the vibration impact from the rail corridor on the future development.
  - Applies the following noise objectives:
    - 35 dB LAeq,8h when measured within a sleeping area between 10 pm and 6 am.
    - 40 dB LAeq,16h when measured within a living area between 6 am and 10 pm.
  - For areas other than sleeping and living areas, the median value of the range of recommended design sound levels of Australian Standard AS/NZ 2107:2016 (Acoustics – Recommended design sound level and reverberation times for building interiors).
  - Includes recommendations for any noise attenuation measures required to meet the applicable noise level objectives.

- Includes additional considerations, where relevant, to address:
  - potential noise character (tonality, impulsiveness or intermittency);
  - noise with high energy in the low frequency range; and
  - transient or variable noise.

- For sites in Area B and C, a report prepared by a suitably qualified consultant demonstrating how the development addresses nearby pipeline infrastructure, including building setbacks and provision of access for pipeline operators.

6.0 Decision guidelines

11/02/2026
C133hbay

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 impact of the potential noise sources have been mitigated through design, layout, and location; and whether this reduces the need for acoustic treatment of buildings or compromises the useability of the building by its occupant.
- Whether the design and layout of the proposed development provides sufficient setbacks from pipeline infrastructure and provides access for pipeline operators.
- Whether the proposal adequately responds to any constraints associated with the Newport Terminal Major Hazard Facility.

11/02/2026
C133hbay

SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO7**.

NEWPORT STRUCTURE PLAN – MASON STREET PRECINCT

1.0 Design objectives

11/02/2026
C133hbay

To encourage building design that accommodates a mix of retail, hospitality and commercial uses at ground level, and office and residential uses at upper levels.

To ensure development provides active and articulated ground level street frontages.

To ensure development responds to the scale and architectural features of heritage buildings and places.

To encourage sustainability and innovation in built form.

2.0 Buildings and works

11/02/2026
C133hbay

A permit may be granted to construct a building or construct or carry out works in Area A, B, C or D which do not comply with the building height, street setback and residential interface requirements specified in Tables 1-4.

The requirements in Tables 1-4 apply to an application to construct a building or construct or carry out works.

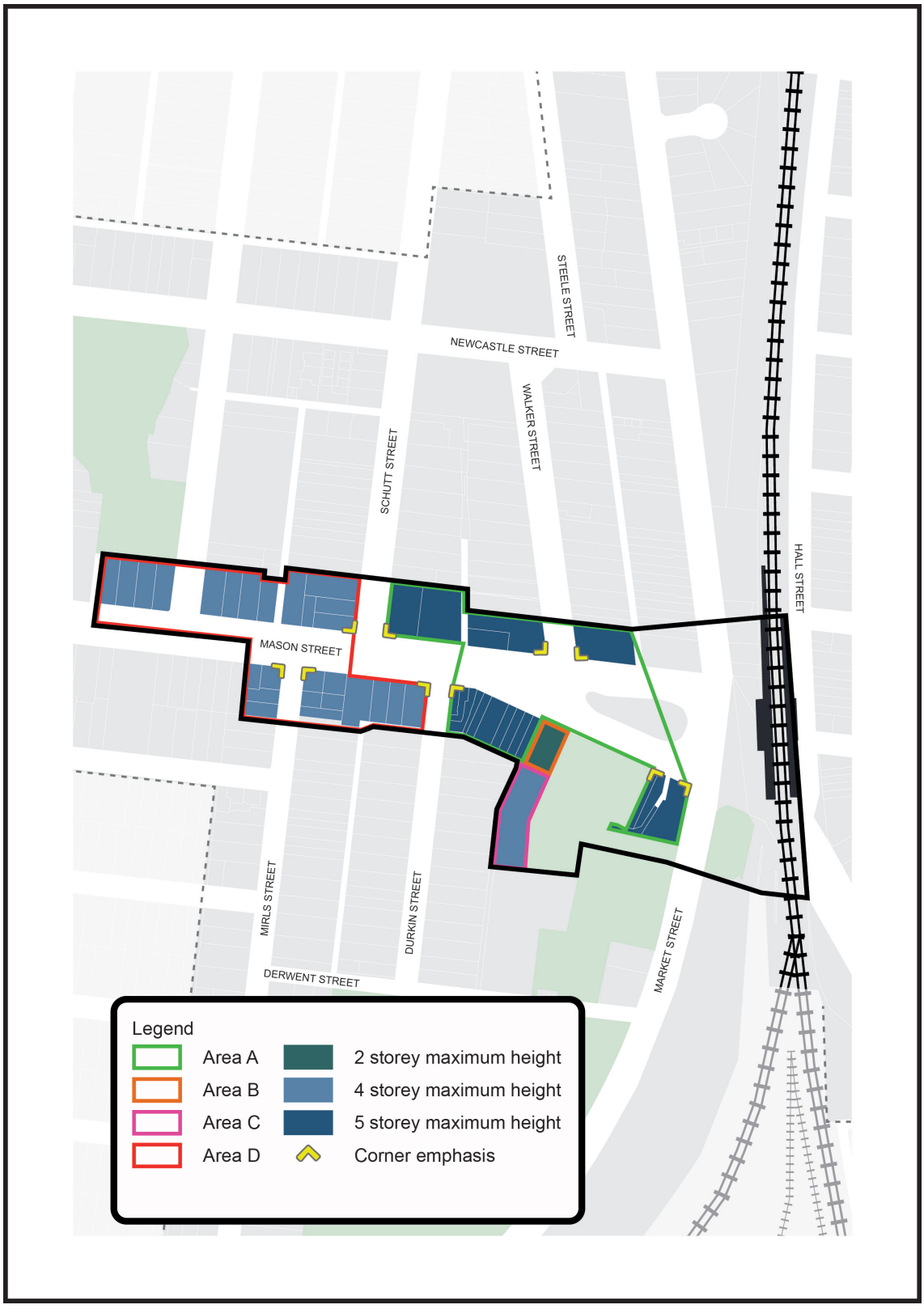


Table 1. Area A - Mason Street Core

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 18 metres and 5 storeys.

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have a floor-to-floor height of 3.5 metres.
Street setback	Walls of buildings should be set back from the front street: ▪ 0 metres up to and including a height of 11 metres (or matching the height of an existing adjoining building) with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres. For a corner site, walls of buildings should be set back from the side street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ Building levels above 3 storeys to be distinctly recessed from the side street podium wall.
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 1.5 metres. For multi-storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 4.5 metres.
Rear setback (residential interface)	For sites with rear interface to residential properties on Schutt Street and Walker Street, walls of buildings should be set back from the rear boundary: ▪ 4.5 metres for any part of a building above 4 metres, up to a height of 11 metres. ▪ Rear walls above 11 metres or 3 storey should be setback to limit the impact on the amenity of existing dwellings. Buildings should not overshadow the secluded ground level private open space of an existing dwelling between 10:00am and 3:00pm on 22 September.
Public realm interface	New buildings should: ▪ Provide active ground floor frontage for sites facing Mason Street and the interface with Paine Reserve (minimum 80% active frontage). ▪ Provide awnings or similar weather protection for pedestrians for frontages on Mason Street. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
Corner emphasis	Buildings on corner sites should provide active and articulated ground floor frontages to both streets. Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

Table 2. Area B – Newport Community Hall

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	For 13-15 Mason Street (HO178 - site of the former Newport Mechanics' Institute), building height should not exceed 9 metres and 2 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have floor-to-floor height of 3.5 metres.
Upper level setback	Walls of buildings should be set back from the ground level street façade: ▪ Minimum 1.5 metres for any part of a building above 4 metres with a continuous street wall edge.
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 1.5 metres.

Table 3. Area C - Newport Community Hub

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	For the Newport Community Hub site, building height should not exceed 14.5 metres and 4 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have floor-to-floor height of 3.5 metres.
Public realm interface	New buildings should: ▪ Facilitate pedestrian and bicycle movement through Paine Reserve.
Access and movement	New buildings should: ▪ Maintain rear lane access for properties fronting Mason Street and Durkin Street.

Table 4. Area D - Mixed Use Area

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have floor-to-floor height of 3.5 metres.
Street setback	Walls of buildings should be set back from the front street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres. For a corner site, walls of buildings should be set back from the side street:

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
	▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ Building levels above 3 storeys should be distinctly recessed from the side street podium level wall.
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 1.5 metres. For multi-storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 4.5 metres.
Public realm interface	New buildings should: ▪ Provide active ground floor frontage for sites facing Mason Street (minimum 80% active frontage). ▪ Provide awnings or similar weather protection for pedestrians for frontages on Mason Street. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
Corner emphasis	Buildings on corner sites should provide active and articulated ground floor frontages to both streets. Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 14.5 metres.
Heritage interface	For sites abutting heritage precinct overlay areas on Mason Street, new buildings should: ▪ Respond to the built form objectives of the abutting heritage precinct overlay. ▪ Respond to the scale and detail of the contributory heritage buildings at each interface.
Residential interface (Mirls Street)	For sites at 43, 45 Mason Street and 45, 47 Mirls Street: ▪ Rear walls above 4 metres should be set back 4.5 metres, up to a height of 7.5 metres. ▪ Rear walls above 7.5 metres should be set back to limit the impact on the amenity of existing dwellings.
Residential interface (Schutt Street, Deborah Lane and William Street)	For sites at 32, 34, 40, 42 and 44 Mason Street: ▪ Rear walls above 4 metres should be set back 4.5 metres, up to a height of 11 metres. ▪ Rear walls above 11 metres should be set back to limit the impact on the amenity of existing dwellings. For the site at 3 Schutt Street: ▪ Side walls above 4 metres should be set back 4.5 metres from the north side boundary, up to a height of 11 metres.

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
	▪ Side walls above 11 metres along the north side boundary should be set back to limit the impact on the amenity of existing dwellings.
Park interface	For sites at 50, 52, 54 and 56 Mason Street: ▪ Ground level rear walls should be set back 3 metres from the rear boundary up to a height of 4 metres. ▪ Rear walls above 4 metres should be set back 4.5 metres from the ground level rear wall, up to a height of 11 metres. ▪ Rear walls above 11 metres should be set back to limit the impact on the amenity of existing dwellings.

3.0 Subdivision

11/02/2026
C133hbay

None specified.

4.0 Signs

11/02/2026
C133hbay

None specified.

5.0 Application requirements

11/02/2026
C133hbay

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 report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay.
- A report demonstrating how the development mitigates potential noise impacts on surrounding properties. Design responses may include acoustic mitigation and use of absorption materials.
- An assessment of waste collection, removal, and delivery areas for the proposed development.

6.0 Decision guidelines

11/02/2026
C133hbay

None specified.

10/09/2021
C126hbay

SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO8**.

FORESHORE HEIGHT LIMITATION - MILL LANE AND GARDEN STREET; NELSON PLACE; FERGUSON STREET BETWEEN NELSON PLACE AND THE STRAND, JAMES AND AITKEN STREETS; AND RIFLE RANGE ESTATE

1.0 Design objectives

10/09/2021
C126hbay

To protect and enhance the environment of the Hobsons Bay foreshore as a environmental, conservation and recreation asset of State, metropolitan and local significance.

To ensure that the height, scale, bulk, setback and appearance of new development is compatible with the prevailing character of the area.

To achieve development that is a high quality architectural and urban design standard.

To preserve solar access to the foreshore, including associated roadways, bicycle and pedestrian paths.

To protect and enhance key views and vistas.

To protect the foreshore reserve and significant public open spaces from inappropriate development.

2.0 Buildings and works

10/09/2021
C126hbay

Building Height

A building should not be constructed or works carried to exceed the preferred maximum building height level specified in the Table to this Schedule. Any proposal to exceed the preferred maximum building height must demonstrate how the proposal achieves the design objectives and outcomes specified in this Schedule. A building must not be constructed and works must not be carried out so as to exceed the maximum building height specified in the table to the schedule.

A permit may not be granted to exceed the maximum building height specified in the table to this schedule.

The height of a building or works is the height of its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

Any basement, which projects above this level is classified as a storey. Basements wholly below the natural surface level are not included in the calculation of the number of storeys.

Roof and other ancillary works may exceed the maximum building height.

Table to Schedule 8 to Clause 43.02

Area	Preferred Maximum Building Height	Maximum Building Height	Outcomes
DDO8 (Mill Lane and Garden Street) (Nelson Place) (Ferguson Street between Nelson Place and the Strand and James Street and Aitken Street)	2 storeys	3 storeys	To allow for higher development similar in height to the adjoining properties without dominating the scale and setting of the street and foreshore. To express a gradual transition in scale from the adjoining properties, and to ensure that any increase in size and scale above that is an increment that can be absorbed by the character of the neighbourhood.

Area	Preferred Maximum Building Height	Maximum Building Height	Outcomes
(Rifle Range Estate)			To ensure that buildings and works adjoining heritage listed places relate to and be recessive to the listed place. To ensure that space is provided at the front and rear of the site for the planting of one substantial tree in each area. To ensure that car parking facilities are not a dominant feature when viewed from the streetscape.

3.0 Subdivision

10/09/2021 C126hbay

None specified.

4.0 Signs

10/09/2021 C126hbay

None specified.

5.0 Application requirements

10/09/2021 C126hbay

None specified.

6.0 Decision guidelines

10/09/2021 C126hbay

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the development is positioned on the site to characteristics that predominate in the neighbourhood.
- How the development replicates or interprets the broad forms (such as span, shape, arrangement of ridges, use of gables or hips, pitch and eaves details of roofs) that predominate in the neighbourhood.
- Whether the development integrates into the design treatment of the walls and elevations- particularly the height of the eaves – the typical floor-to-ceiling heights found in the neighbourhood.
- Whether the development uses materials that harmonise with materials commonly found in the neighbourhood.
- How the development relates the front garden and fence treatments to its surroundings.
- Whether the development is built in the dominant waterfront style with a contemporary interpretation.
- Whether the application incorporates existing building forms that contribute to a seaside character.
- Whether the development incorporates building elements and details that contribute to lightness of structure including balconies, verandahs, balustrades and gable ends.
- Whether any increase in height from an adjoining property provides a transition from the lower.
- Whether the height of any new development preserves and enhances pedestrian amenity by maintaining a human scale, allowing sunlight penetration to public spaces, and avoiding impacts due to visual build and wind tunnelling.

- Whether views of garages and carports from the front are minimised.
- Whether the use of semi basement car parks which are visible from any of the foreshore roads or foreshore areas are avoided.
- That the height of new development is not to result in amenity impacts upon adjoining residential properties due to overshadowing, overlooking and visual bulk.
- Whether the overshadowing of public spaces is minimised.
- Whether the proposal is consistent with the principles of the Hobsons Bay Neighbourhood Character Study Build Form Guidelines Supplement Waterfront Residential Areas (February 1999).

10/09/2021
C126hbay

SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO9**.

MASON STREET, NEWPORT – RESIDENTIAL DEVELOPMENT ADJOINING NEWPORT LAKES RESERVE

1.0 Design objectives

10/09/2021
C126hbay

The design objectives for the area are:

- To encourage development of a concept plan for the whole area that promotes, cohesion between the parts, visual and physical linkages, landscaping consistent with the landscaping theme of the Newport Lakes Reserve, active frontages to external and internal street network.
- To ensure that the design and siting of buildings, including form, bulk, choice of materials and colours minimises the visual impact on the adjoining Newport Lakes Reserve.
- To encourage the layout of new development that maintains and enhances views from Mason Street to the Newport Lakes Reserve.
- To ensure that any development does not interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve.
- To ensure that any development makes provision to protect residential users from noise emanating from industrial or non-residential properties on the adjoining or nearby land.
- To ensure that the staged transition of this industrial area to residential use is managed in a manner that minimises impact on the existing/ongoing industries, Newport Lakes Reserve and the surrounding residential areas.

2.0 Buildings and works

10/09/2021
C126hbay

- No buildings are to interrupt the escarpment line as viewed from the north and south lakes areas within the Newport Lakes Reserve other than a view substantially softened by landscaping.
- Buildings are to respect the form, character, scale, front setbacks and front boundary treatments of nearby residential developments in Johnston Street and Mason Street.
- Buildings and works are to include adequate separation from the parkland with landscape treatment within the setback that respects the existing vegetation in the Newport Lakes Reserve.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

None specified.

6.0 Decision guidelines

10/09/2021
C126hbay

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 a concept plan has been developed for the area.

- Whether the design and siting of any residential development will result in the imposition of unreasonable development constraints on the remaining industrial sites and any future residential use.
- Whether a suitable noise environment can be achieved by adoption of appropriate distance separation from industry noise or by the siting and design of dwellings including habitable rooms, windows, private open space and garages.
- Whether the development is designed and constructed to include noise attenuation measures such as acoustic fencing, double glazing, and if these are temporary, the approach to removing and/or replacing them.
- Whether the development complies with the minimum internal noise levels implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.
- The need for safe and attractive pedestrian linkages between development sites and the Newport Lakes Reserve.
- Whether the proposal is accompanied by a landscaping plan (including uniform nature-strip planting, street tree species, other landscaping features, pedestrian, cycle and vehicular pavement materials and surfaces, street furniture such as lighting, bollards and seating) and is consistent with the landscaping theme in the Newport Lakes Reserve.
- Whether development proposals allow for an open visual and physical interface between residential areas and the Newport Lakes Reserve.
- Whether views from Mason Street to the Newport Lakes Reserve have been enhanced by the design of proposed development.
- Whether any development proposal includes measures to protect the vegetation in the Newport Lakes Reserve along the boundary.
- The fencing along the Newport Lakes Reserve boundary and the extent to which it promotes visual permeability.
- The form, scale, bulk, design and external finishes and materials of any buildings and works and the extent to which these respond to the context of the site.
- The volume and nature of additional vehicle movements, as quantified and assessed as part of a traffic impact assessment, and whether the impact of these on existing traffic arrangements (including roads, intersections, traffic situations, pedestrian and cycle paths) is safe, and that measures have been taken to reduce impacts on safety.
- Whether a Section 173 Agreement is to be entered into requiring the owner of 132-136 Mason Street, Newport to include a clause in any Contract of Sale for the land (or part of the land) and in any lease of the land (or part of the land) to the following effect:
- "This land is in close proximity to nearby industrial land in Mason Street, Newport and may be affected by noise or other amenity impacts associated with the operations and activities conducted on that land. The purchaser/lessee should be aware of these industrial uses and potential amenity impacts".
- Provision must be made for the Section 173 Agreements to sunset when the industrial sites at 100-122 Mason Street, Newport cease to be used for industrial purposes.
- Whether a Section 173 Agreement is required to ensure a signed report provided by a qualified acoustic engineer certifies upon the completion of the residential development that each residence on the eastern boundary of the property 132-136 Mason Street, Newport complies with internal noise level implied under the State Environment Protection Policy (Control of Noise from Commerce Industry and Trade) No. N-1.

08/08/2013
C82

SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

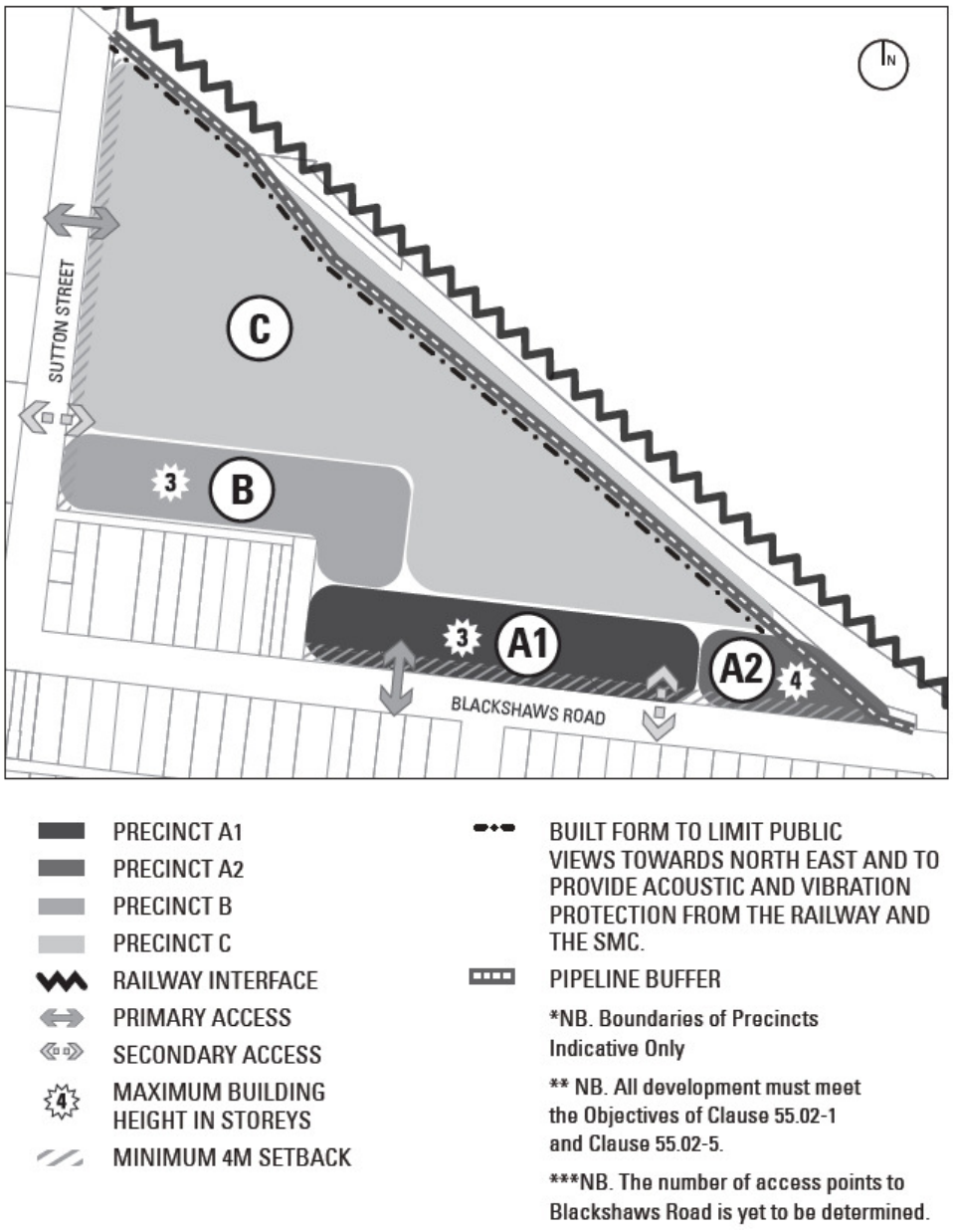
Shown on the planning scheme map as **DDO10**.

THE FORMER CALTEX TERMINAL

Former Caltex Terminal, Blackshaws Road and Sutton Street, South Kingsville.

1.0 Plan 1

08/08/2013
C82



2.0 Design objectives

08/08/2013
C82

The design objectives for the area are:

- To encourage urban renewal which delivers increased housing affordability, diversity and density within the site.
- To create a residential area that is responsive to its context and provides a transition in character at its interfaces with existing adjoining residential areas and industrial operations.

- To ensure residential development provides a reasonable level of amenity for future occupiers of the site, including but not limited to protecting future residents from the adverse impacts of industrial and traffic noise, odour, dust, vibration and the visual impact of the railway line and industrial development north-east of the railway line.
- To ensure development does not unreasonably affect the amenity of adjoining residential properties.
- To protect the operations of the state and nationally significant Spotswood Locomotive Maintenance Centre located to the north-east (including normal operations, upset and worst case conditions and reasonably foreseen planned future operations) from any potentially adverse effects of residential encroachment.
- To encourage development which achieves site responsive high-quality architectural and urban design outcomes.
- To create a new and attractive streetscape character in Blackshaws Road and Sutton Street.
- To ensure that development does not adversely impact the continued operation and maintenance of the Somerton to Altona Licensed Pipeline.
- To ensure that any additional social and community infrastructure required by reason of the proposed development is provided.
- To minimise the number of access points from the site to Blackshaws Road.
- To ensure that the development does not compromise the safe and efficient operation of Blackshaws Road and the surrounding local road network.
- To ensure that driveway access to lots fronting Blackshaws Road is provided from a local road or rear lanes only.
- To limit the total number of residential dwellings on the site to ensure the cumulative impact of proposed developments along Blackshaws Road and within the Newport/Williamstown peninsula does not compromise the capability of the arterial road network and particularly Melbourne Road and that there is ample opportunity to provide a high quality of residential amenity.
- To include a shared pedestrian/bicycle path within the site linking the eastern corner of the development on Blackshaws Road and the north-west corner of the site at Sutton Street with the ultimate goal of extending the path to the Vernon Street neighbourhood shopping centre via Moresby Street.
- To comply with the conditions relating to the urban density and construction constraints involved in the redevelopment of the site as set out in the three statements of Environmental Audit issued under the Environment Protection Act 1970 Part IXD by the environmental auditor in his reports dated October (Areas 3 & 4) and November 2011 (areas 1& 2).

3.0 Master Plan

08/08/2013
C82

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a Master Plan has been prepared and approved to the satisfaction of the responsible authority. The purpose of the Master Plan is to guide and inform future development of the site.

The Master Plan must be generally in accordance with Plan 1 and must include:

- A detailed analysis of the features of the land and its context, including existing conditions and the conditions set out in the three statements of Environmental Audit issued for the site.
- A detailed design response, including:
  - The location of new streets within the site.
  - The location of new public open space within the site.

  - Design principles for new built form within Precincts A1 and A2.
  - Design principles for new built form within Precinct B.
  - Design principles for new built form within Precinct C.
  - The location and height of building envelopes.
  - Design principles and built form measures for reasonable residential amenity and protection from sources of air emissions, noise and vibration from the railway line, nearby industry including the Spotswood Maintenance Centre and Blackshaws Road.
  - The staging of development and details of an appropriate built form/sound-barrier(s) to be provided, progressively and prior to the completion of each corresponding stage of the development along the whole of the north-east boundary of the site.
  - The detailed resolution of the northern interface having regard to the bicycle path, pipeline, acoustic and built form issues.
  - Design principles that address neighbourhood character and integration with the streets to give effect to "**NB" on Plan 1.
- Domestic waste management principles.
- Prior to the responsible authority adopting the Master Plan, the proponent is to provide a 'preferred concept plan' showing proposed building envelopes including heights and indicating acoustic and vibration treatments to all buildings and facades facing the Spotswood Maintenance Centre and Blackshaws Road and to carry out a peer-reviewed assessment of potential acoustic and vibration effects and their amelioration, consistent with the requirements of clause 5.0, including the staging (if any) of development and details of an appropriate sound barrier(s) to be provided, progressively and prior to the completion of each corresponding stage of the development, along the north-east boundary of the site. The report must be prepared on the basis of, among other things, a comprehensive assessment of the activities – both worst case current and planned future activities – of the Spotswood Maintenance Centre generally in accordance with the SLR report dated 18 May 2012 and must specify the built form measures required to meet clause 5.0. This assessment is to be verified by a peer review by a specialist for the Responsible Authority.
- Any permit application must be generally in accordance with the 'preferred concept plan'. If not, the noise and vibration assessment in the above point must be repeated and the approved Concept Plan and Master Plan revised accordingly prior to the consideration of the permit application
- A Network Fit Assessment Report (NFA) to the satisfaction of VicRoads and the Responsible Authority which addresses:
  - Details of existing conditions surrounding the site.
  - Details of the parking demand likely to be generated by the development.
  - Details of the traffic generation characteristics of the development.
  - Proposed access arrangements for the site.
  - The impact of the development on the existing traffic arrangements (including roads, intersections, traffic situations, pedestrian and cycle paths) including reference to safety.
  - Details of whether any works or upgrades will be required as a result of the development.
  - Timing and construction responsibility of any required works and upgrades.
  - The NFA is to take into account the cumulative impact of other possible/proposed developments along Blackshaws Road and on the Newport and Williamstown Peninsula on the arterial road network particularly Melbourne Road.

- A report which provides an assessment of the adequacy of existing social and community infrastructure, and details any additional social infrastructure or affordable housing to be provided.
- A report which provides an assessment of the adequacy of physical infrastructure (water supply, sewerage, electricity supply, gas supply, stormwater drainage, telecommunications and road infrastructure) and any necessary amelioration or upgrading required as a result of the proposed development, which must include:
  - Details of the existing infrastructure capacity.
  - Details of the impacts the proposed development will have on existing infrastructure.
  - Identification of any upgrades required.
  - Timing and construction responsibility of any required works and upgrades.
  - Details of facilities to be installed as part of water sensitive urban design to ensure that the capacity of the existing or upgraded stormwater systems within the surrounding area are not exceeded in respect of the volumetric capacity or water quality parameters as a consequence of the urban development to be implemented.
- The impact of the proposed development during construction and post-construction on the Somerton to Altona Licensed Pipeline, in the context of a pipeline risk assessment, and any measures required to ensure its ongoing maintenance and operation.
- A landscaping and public infrastructure plan, including details of street lighting and furniture and bicycle and footpaths.
- A report which certifies that the proposed development is consistent with any statements of environmental audit which relate to the site and demonstrates compliance with the conditions set out in the statements of Environmental Audit.
- A report identifying the Environmentally Sustainable Design (ESD) features of the proposed development.

The Master Plan may be amended at any time upon application to, and the satisfaction of, the responsible authority provided it complies with the requirements of this clause.

Notice of application for approval of Master Plan

The responsible authority must give notice of an application for approval of a Master Plan, or approval of an amendment of an approved Master Plan, submitted to it under this overlay to:

- the licensee and operator (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline), Energy Safe Victoria and the Minister with responsibility for administering the Pipelines Act 2005;
- owners of properties fronting Blackshaws Road between Schutt Street and Johnston Street, Newport;
- owners of properties fronting Sutton Street South Kingsville;
- the owner and operator of the Spotswood Locomotive Maintenance Centre;
- The owner and operator of the adjacent freight railway line; and,
- VicRoads.

The responsible authority must, prior to approving any Master Plan (or amendment of a Master Plan), consider any written responses, provided that such responses are received within 21 days after service of such notice.

Agreement under s 173 of the Act

The responsible authority must not approve a Master Plan until an agreement, made under s 173 of the Act, has been recorded on the titles of the land contained within the area the subject of this schedule under which the owner of that land is required to:

- provide, or pay for, works services or facilities that the responsible authority considers on, or to, the land or other land as a result of the approval of the Master Plan.
- give notice of any relevant statement of environmental audit to prospective purchasers of all, or any part, of that land.
- include a statement to the following effect and require the owner include such statement in any contract of sale for any part of the land.

'*This land is in close proximity to nearby industrial land in Sutton Street, South Kingsville and the State and nationally significant Spotswood Locomotive Maintenance Centre located to the north east. Consequentially, the land may be affected by noise or other amenity impacts associated with the operations and activities conducted in those areas. The purchaser should be aware of these industrial uses and potential amenity impacts*.'

Provision must be made for this aspect of the Section 173 Agreement to end when the industrial use of each of the above sites ceases.

The Section 173 Agreement once executed must be registered on the title of the land contained within the area the subject of this schedule pursuant to section 181 of the Planning and Environment Act 1987.

4.0 Buildings and works

08/08/2013
C82

Buildings and works must be generally in accordance with the approved Master Plan.

A permit must not be granted for buildings and works not generally in accordance with the requirements of this schedule.

5.0 Noise and Vibration Attenuation

08/08/2013
C82

Any development that will accommodate residential or other noise-sensitive uses must be designed and constructed to include noise attenuation measures. These noise attenuation measures must ensure that:

- Industrial noise received at new residential or other noise-sensitive uses complies with the requirements of State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No N-1 (SEPP N-1). Where the nature of the development is such that it is not practical or reasonable to undertake an outdoor measurement of the industrial noise level, the measurement point for a noise sensitive area must be indoors in accordance with SEPP N-1 Schedule A1, 4. The indoor adjustment (Schedule A2, 4, (d)) should not be greater than 15 dB. The assessment of noise emanating from the Spotswood Maintenance Centre must include a comprehensive assessment of the activities – both current and reasonably foreseen planned future activities (and address worst case and upset conditions) – of the Spotswood Maintenance Centre generally in accordance with the SLR report dated 18 May 2012.
- Train airborne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 55 dBA, Lmax in bedrooms and a noise level of 60 dBA, Lmax in living areas. These noise levels are to be measured internally near the centre of habitable rooms, with the doors, windows and ventilation closed. The measurements should be undertaken using a 'fast' meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed).
- Train ground borne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 35 dBA, Lmax, slow, in bedrooms and 40 dBA, Lmax, slow, in living areas. These noise levels are to be measured internally near the centre of habitable rooms.

The measurements should be undertaken using a 'slow' meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed). This assessment of train ground borne noise is only to be applied for new residential or other noise sensitive uses where train ground borne noise is the dominant source of noise (i.e. higher than the train airborne noise).

- Road traffic noise received at new residential or other noise sensitive uses is attenuated to achieve the recommended design sound levels provided in Australian / New Zealand Standard AS/NZS 2107:2000 Acoustics – Recommended design sound levels and reverberation times for building interiors. These noise levels are to be measured internally near the centre of habitable rooms, with the doors, windows and ventilation closed.
- Truck pass-by noise received at new residential or other noise sensitive uses is attenuated to achieve an internal maximum noise level of 55 dBA Lmax, in bedrooms, during the night. These noise levels are to be measured internally near the centre of the room, with the doors, windows and ventilation closed.

Any development that will accommodate residential or other vibration-sensitive uses must be designed and constructed to include vibration attenuation measures. These vibration attenuation measures must ensure that:

- Train vibration received at new residential or other vibration-sensitive uses complies with the requirements of Table 2, Annex A of Australian Standard AS2670.2-1990 Evaluation of human exposure to whole-body vibration, Part 2: Continuous and shock-induced vibration in buildings (1 to 80 Hz). Train vibration received at new residential or other vibration-sensitive uses should comply with the combined direction Curve 20, adjusted by the number of events 'trade-off' given by Note 5 to the Table based on the number of railway movements, but not in any case, lower than Curve 4. Train vibration is to be measured between 4–80 Hz using an accelerometer fixed to the floor near the centre of any habitable room.

The responsible authority must include in any permit granted a condition in the following terms:

"Prior to the occupation of any building, a report prepared by a suitably qualified acoustic and vibration consultant which certifies compliance with the noise and vibration attenuation criteria set out in clause 5.0 of Schedule 10 to the Design and Development Overlay must be provided to the satisfaction of the responsible authority."

6.0 Subdivision

08/08/2013
C82

A permit must not be granted to allow a subdivision which is not generally in accordance with the approved Master Plan.

7.0 Notice of permit application

08/08/2013
C82

In accordance with section 52(1)(c) of the Act, notice of an application for a permit under this overlay must be given to the:

- licensee and operator (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline), Energy Safe Victoria and the Minister with responsibility for administering the Pipelines Act 2005; and
- owner and operator of the Spotswood Locomotive Maintenance Centre.

8.0 Decision guidelines

25/01/2024
C134hbay

Before deciding on an application for a permit, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The design objectives in Clause 2.0 of this schedule.
- Whether the proposal complies with the approved Master Plan required in Clause 3.0 of this schedule.

- The Guidelines for Higher Density Residential Development and clauses 55.02-1 and 55.02-5 of the scheme.
- Improved Housing Choices for Residents on Low Incomes (Affordable Housing) Policy Statement (8 February 2011, as amended from time to time).
- Social Impact Assessment Guidelines: Residential (Hobsons Bay City Council, 2022).

10/09/2021
C126hbay

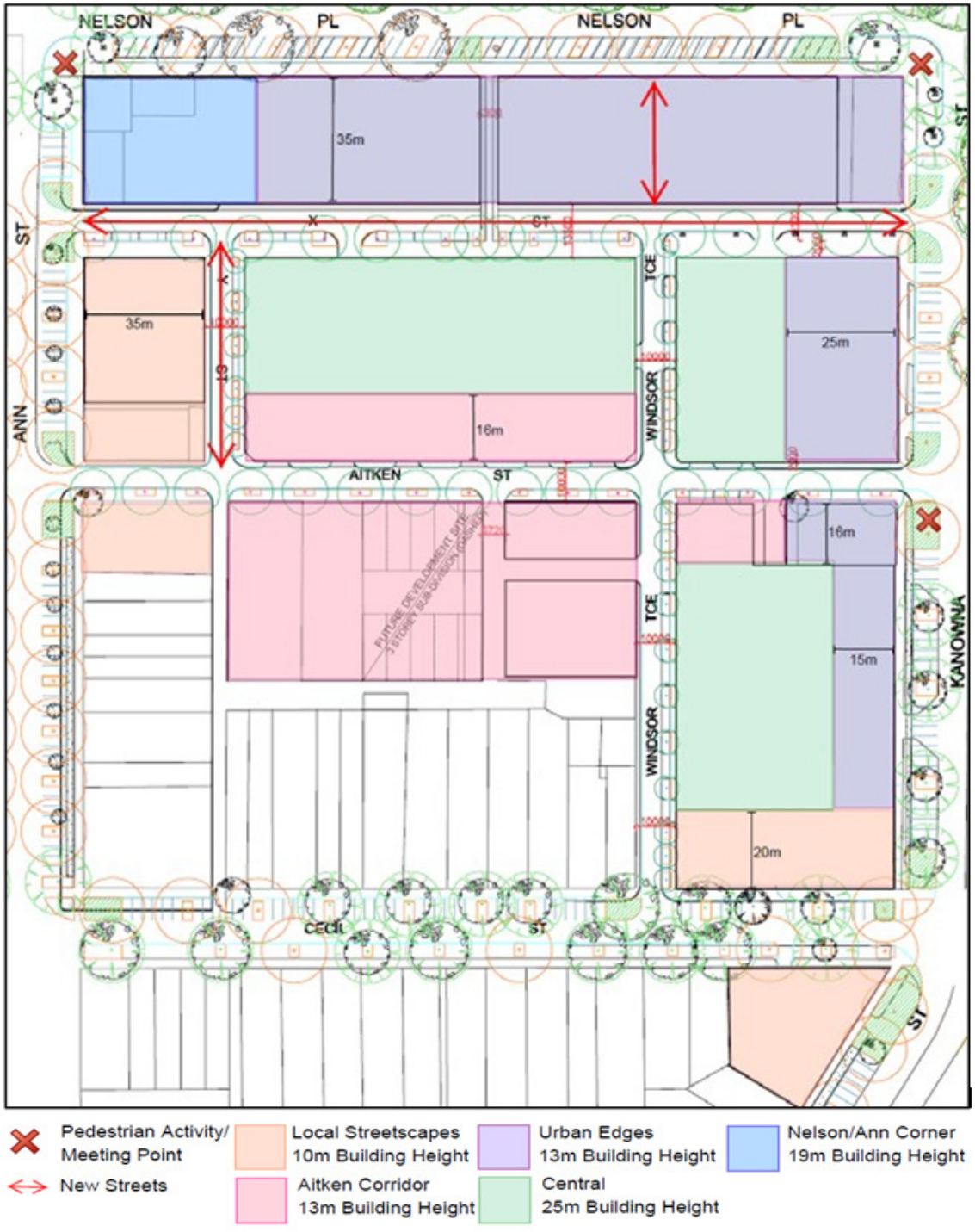
SCHEDULE 11 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO11**.

PRECINCT 20 - FORMER PORT PHILLIP WOOLLEN MILLS AND SURROUNDS

Map 1 to Schedule 11 to Clause 43.02

Design and Development Plan



1.0 Design objectives

10/09/2021
C126hbay

To encourage comprehensive urban renewal which delivers increased housing diversity, affordability and density within Williamstown.

To create a residential area which is contemporary in design and provides a transition from surrounding 19th Century residential areas.

To encourage development which achieves high quality urban design outcomes through provision of buildings of architectural excellence located in pleasant street environments.

To recognise the historic, environmental, conservation and recreation significance of the area.

To protect state-significant operations of the Williamstown Shipyard Site, the Gellibrand Tank Farm and the Port of Melbourne.

To preserve the foreshore reserve and significant public open spaces including the Point Gellibrand Coastal Heritage Park.

To maintain and enhance key views and vistas.

To ensure that the height, scale, bulk and setback of new development is respectful of the context of the area.

To ensure that any buildings that are used for residential and other noise sensitive uses are appropriately designed with noise attenuation measures.

To encourage adaptive re-use of heritage buildings.

To discourage development in the WorkSafe Planning Advisory Areas that attract or accommodates significant numbers of people and which cannot respond to an emergency.

2.0 Buildings and works

10/09/2021
C126hbay

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

Buildings and works must be in accordance with this schedule.

Building Height

No permit may be granted to allow a building that exceeds the applicable maximum building height specified in the Table to this schedule.

The height of a building or works is the height measured at its highest point above the permanent footpath at the centre of the site frontage. If there is no footpath, the natural surface level at the centre of the site frontage is the base level.

Noise Attenuation

Habitable rooms of new dwellings adjacent to high levels of external noise should be designed to limit internal noise levels to a maximum of 45 dB in accordance with relevant Australian Standards for acoustic control.

Notice and review provisions

An application to construct a building or construct or carry out works that is generally in accordance with the provisions of this Schedule 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.

Before deciding on an application, the Responsible Authority should seek the views of the following:

- the owner and occupier of the Williamstown Shipyard Site;
- the owner and occupier of the Gellibrand Tank Farm;
- the Port of Melbourne Corporation;
- Work Safe Victoria;
- the EPA; and
- owners and occupiers of adjoining/abutting land.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

An application must be accompanied by the following (as necessary);

- A detailed Urban Context analysis of the features of the land and its strategic planning context within metropolitan Melbourne and Williamstown.
- A Site Analysis report which demonstrates how the proposed buildings or works achieve each design objective or Built Form outcomes of the Table to this schedule.
- Plan(s) which provide;
  - Details of heights, setbacks, off-sets between buildings, pedestrian entry points and frontages of all buildings;
  - Areas of new public realm and streets;
  - Visual analysis of the proposed development;
  - Shadow diagrams between 9am and 3pm 22 September;
  - Indicative staging plan; and
  - Evidence that parking is provided within the site boundary or adjacent road of each site.
- Specifications for development within the WorkSafe Planning Outer Advisory Area which detail measures to ensure the buildings can withstand overpressures of up to 6kPa.
- A Wind Report detailing potential impacts of the development on the public realm.
- An assessment of the impact of the development on the Cultural Heritage Significance including an archaeology assessment to determine the potential for archaeological significance of the site and surrounds.
- A report identifying the Environmentally Sustainable Design (ESD) features of the development.
- A Landscape Concept Plan showing public and private realm landscaping.
- An Integrated Transport Plan including a Green Travel Plan in accordance with Clause 52.36. The Plan must include a traffic impact analysis and a parking supply analysis.
- An Infrastructure Services Report (including utilities, road and community services) identifying the improvements which are required to be made to the site and surrounding area.
- A Construction Management Plan.
- An Acoustic Report.
- An Emergency Evacuation Plan prepared in consultation with Council, Mobil, BAE, the Port of Melbourne Corporation and relevant emergency services agencies.
- A Coastal Hazard Vulnerability Assessment.

6.0 Decision guidelines

10/09/2021
C126hbay

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 development is consistent with the design objectives and outcomes for each precinct as identified in the Table to this schedule.
- Whether the development displays excellence in architecture, design and built form.
- Whether the design enhances the public realm, maintains a human scale at the street edge and allows sunlight penetration to public and private spaces.
- Whether car parking areas are screened from view.
- Whether the development addresses the heritage objectives and policies of Clause 22.01.
- Whether the development incorporates appropriate noise attenuation measures.
- Whether the buildings located within the WorkSafe Outer Planning Advisory Area can withstand overpressures of up to 6kPa.
- The views of the parties listed in Clause 6 of this schedule.

Table to Schedule

Map area	Maximum building height	Built form outcomes
A – LOCAL STREETSCAPES (Orange)	10 metres	Development which responds to the predominant streetscape and built form character of Cecil and Ann Streets. A two storey street edge (up to 7 metres) on Cecil Street with recessed upper levels. A three storey street edge (10 metres) on Ann Street. Dwellings to have a frontage to Cecil and Ann Streets. Vehicle access from the rear of the site consistent with the existing dwellings on Cecil and Ann Streets.
B – AITKEN CORRIDOR (Pink)	13 metres	Development which provides an appropriate scale to the street edge along Aitken Street. A three storey street edge (up to 10 metres) with recessed upper levels setback 5 metres from the street. Development which provides an appropriate interface and sufficient setbacks to the existing residential area to the south.
C – URBAN EDGES (Purple)	13 metres	A hard urban edge to Nelson Place and Kanowna Street. A predominant building height of 10 metres up to a maximum of 13 metres to allow for varying façade and roof forms. Appropriate regard to the heritage characteristics of the former hotel on the corner of Kanowna and Aitken Streets. Dwellings which have a direct street address with pedestrian access at street level. Lower density residential development within the Planning Outer Advisory Area. Buildings in the WorkSafe Outer Planning Advisory Area that can withstand overpressures of up to 6kPa.
D – NELSON/ANN CORNER (Blue)	19 metres	A prominent building which provides emphasis to the corner of Nelson Place and Ann Street. A building which incorporates innovative façade articulation and limited sheer walls.

Map area	Maximum building height	Built form outcomes
E – CENTRAL (Green)	25 metres	Higher development relative to the adjoining properties which does not dominate the scale and setting of the street and foreshore. Development which provides an appropriate scale to the street edge along Aitken Street. Buildings which are located outside the WorkSafe Planning Advisory Areas. Buildings which are oriented to the north to take advantage of the views and vistas of the Port Phillip Bay and City skyline.
STREET SYSTEM	N/A	A new east-west road between Ann and Kanowna Street located approximately 35 metres south of Nelson Place. A new north-south road located approximately 35 metres east of Ann Street. A new north-south road which is an extension to the north of Windsor Terrace up to Nelson Place. Streets and accessways which are landscaped and provide through public access. A landscaped edge along Nelson Place to complement the established boulevard trees on the north side of Nelson Place. Public landscaping along the east side of Ann Street to complement the existing landscaping on the west side of Ann Street. Pedestrian footpaths and street landscaping on both side of Aitken Street. Central vehicle access points with limited individual access points directly from the street.
PEDESTRIAN ACTIVITY/ MEETING POINT	N/A	Formalised pedestrian meeting points though the provision of street furniture, public art, weather protection and public realm improvements. Development which provides active frontage and commercial opportunity to corners.

11/02/2026
C133hbay

SCHEDULE 12 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO12**.

NEWPORT STRUCTURE PLAN – HALL STREET PRECINCT

1.0 Design objectives

11/02/2026
C133hbay

To encourage development that accommodates retail, hospitality and commercial uses at ground level, and shop-top housing at upper levels.

To encourage building design that reflects the fine grain subdivision pattern, such as by the spacing and rhythm of entrances and windows.

To ensure development provides active and articulated ground level street frontages along Hall Street and North Road.

To ensure development responds to the scale and architectural features of heritage buildings and places.

To encourage sustainability and innovation in built form.

2.0 Buildings and works

11/02/2026
C133hbay

A permit may be granted to construct a building or construct or carry out works in Area A or B which do not comply with the building height, street setback and residential interface requirements specified in Tables 1 and 2.

The requirements in Tables 1 and 2 apply to an application to construct a building or construct or carry out works.

Map 1

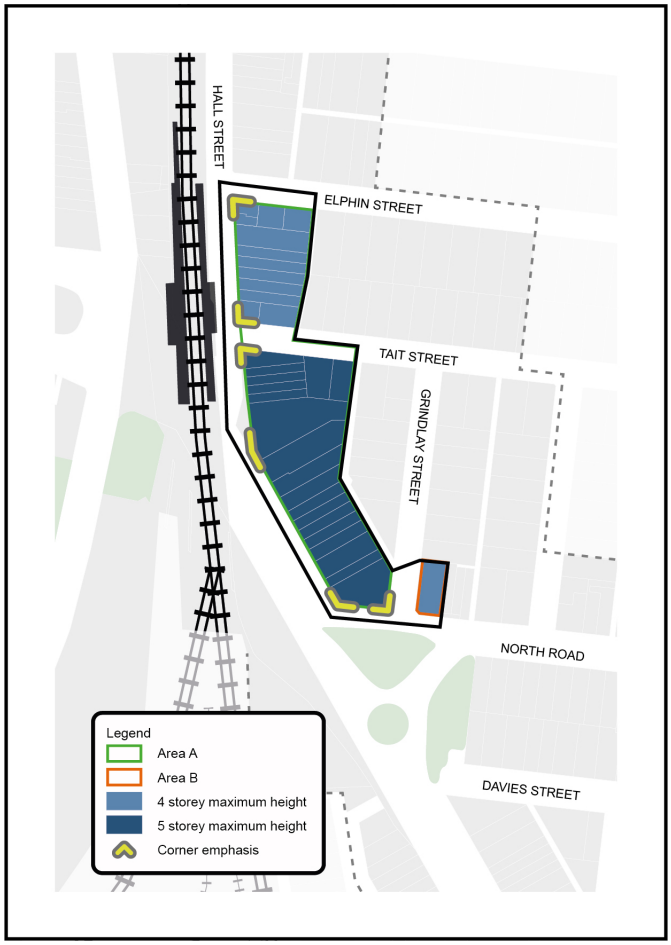


Table 1. Area A – Hall Street Core

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	For sites between Tait Street and Elphin Street: ▪ Building height should not exceed 14.5 metres and 4 storeys. For sites between Grindlay Street and Tait Street: ▪ Building height should not exceed 18 metres and 5 storeys.
Floor to floor height	Ground level floor to floor building height should be 4 metres. Storeys above ground floor level should have a floor-to-floor height of 3.5 metres.
Street setback	For sites facing Hall Street, between Grindlay Street and Elphin Street, walls of buildings should be set back from the front street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres. For a corner site, walls of buildings should be set back from the side street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ Building levels above 3 storeys should be distinctly recessed from the side street podium wall.
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 1.5 metres. For multi-storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 4.5 metres.
Public realm interface	New buildings should: ▪ Provide active ground floor frontage for sites facing Hall Street (minimum 80% active frontage). ▪ Provide verandah awnings or similar weather protection for pedestrians for frontages on Hall Street. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
Corner emphasis **Residential interface**	Buildings on corner sites should provide active and articulated ground floor frontages to both streets. Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building to the maximum height as described in this table. New buildings should not significantly overshadow existing private open space.

Table 2. Area B – North Road frontage (146 North Road)

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 14.5 metres and 4 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground level should have floor-to-floor height of 3.5 metres.
Street setback	Walls of buildings should be set back from the front and side street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ Building levels above 3 storeys should be distinctly recessed from the front and side street podium wall.
Side and rear setbacks (residential interface)	New buildings along the northern boundary of Area B should limit the impact on the amenity of existing dwellings and secluded private open space through a suitable design response.
Public realm interface	New buildings should: ▪ Provide active ground floor frontage to North Road (minimum 80% active frontage). ▪ Provide verandah awnings or similar weather protection for pedestrians for frontages on North Road.

3.0 Subdivision

11/02/2026
C133hbay

None specified.

4.0 Signs

11/02/2026
C133hbay

None specified.

5.0 Application requirements

11/02/2026
C133hbay

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 report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay.
- A report demonstrating how the use or development mitigates potential noise impacts on surrounding properties. Design responses may include acoustic mitigation and use of absorption materials.
- A report that considers noise and vibration impacts associated with the rail corridor and whether any attenuation works are required and recommended.

6.0 Decision guidelines

11/02/2026
C133hbay

None specified.

10/09/2021
C126hbay

SCHEDULE 13 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO13**.

PART PRECINCT 9 - LAND FRONTING MILLERS ROAD, 24-42 CABOT DRIVE AND 290-298 MILLERS ROAD, ALTONA NORTH

1.0 Design objectives

10/09/2021
C126hbay

To ensure that the scale, bulk, setback and appearance of new development is compatible with the preferred character of the site and surrounding area and protects the amenity of abutting residential areas.

To encourage the development of buildings and public areas which provide for high quality, integrated urban design outcomes, recognising the site as an important gateway to Altona North.

To ensure that landscape treatments are consistent and compliment the preferred character of the site and surrounding area and enhance public areas.

To ensure best practice environmentally sustainable development principles are incorporated in the development of the precinct.

To provide for a coordinated, safe, pleasant and functional pedestrian, cyclist and vehicle environment to and from, as well as within, the site.

2.0 Buildings and works

10/09/2021
C126hbay

Buildings and works should achieve the performance measures listed below as well as the requirements of Map 1 within this schedule.

Site Layout

The layout of the site should:

- Avoid large expanses of car parking interfacing Millers Road, Chambers Road and Cabot Drive.
- Provide a pedestrian link from Millers Road through to Chambers Road (for that part of the precinct north of Cabot Drive).
- Provide for integrated public space on the site, including the provision of a plaza connecting to retail uses, public seating and a pedestrian link, with a minimum width of 6.5 metres between buildings, that connects the bus stop to the site.
- Provide a shared path measuring 2.5 metres along the Chambers Road frontage and along the north and south sides of Cabot Drive.
- Provide footpaths along Ross Road, Chambers Road and Millers Road to the satisfaction of the Responsible Authority.
- Provide loading and service areas to the rear or side of buildings and, where possible, away from abutting residential areas.
- Provide open spaces with good lighting, informal surveillance and weather protection.

Buildings

Buildings on site should:

- avoid expanses of blank walls interfacing Millers Road, Chambers Road and all onsite public areas.
- provide a transition in building scale where development interfaces residential areas.
- minimise overlooking into secluded open space and habitable room windows in residential areas where possible.
- provide built form setbacks of 6.0 metres from Cabot Drive.

Landscaping

Landscaping on site should:

- soften built form along site frontages.
- provide for a consistent landscape theme.

A landscape setback should be provided measuring:

- 9.0 metres from Millers Road
- 4.5 metres from Cabot Drive
- 4.5 metres from Chambers Road
- 7.0 metres from north property boundary shared with residential properties
- 4.5 metres from north property boundary shared with non-residential property

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

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 landscape plan showing both public and private areas including the setbacks and retention of trees where appropriate.
- Traffic design plans that demonstrate vehicle access, movement and, as far as is practical, the separation of freight and delivery vehicles and customer vehicles.
- MUSIC and SDS assessments which indicate how the proposal incorporates Environmentally Sustainable Design principles.

6.0 Decision guidelines

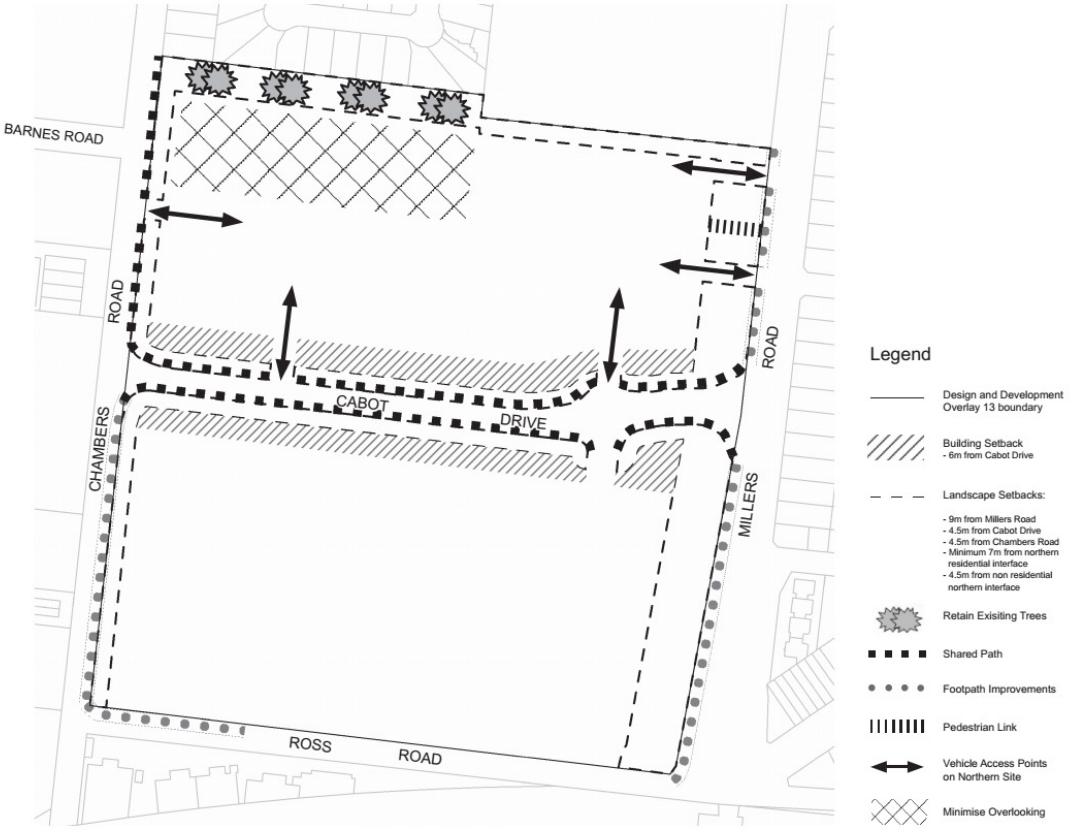
10/09/2021
C126hbay

Before deciding to approve or amend a planning permit application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Design Objectives within the schedule.
- The requirements within this schedule, including those within Map 1.
- How the proposal addresses and is compatible with identified features and constraints of the site and the nearby area.
- Whether the proposed development encourages activation of Millers Road.
- The architectural form and detail of proposed buildings including materials, finishes and colours and whether it will make a positive contribution, particularly on prominent corners.
- Whether the proposed development incorporates adequate building articulation and required setbacks to deliver a high quality architectural built form.
- The amenity impacts of proposed development adjacent to residential areas.
- Whether the development achieves quality public spaces and good connectivity within the site that create a sense of place.

- Whether appropriate passive surveillance of public spaces is achieved through building design and placement.
- Whether the layout provides for safe access to and from the site through improvements to pedestrian, bicycle and vehicular connectivity.
- The effect of the development on existing vegetation on the site.
- Whether the landscaping appropriately integrates with the site and surrounding land uses.
- The extent to which best practice environmentally sustainable development principles have been incorporated in the development of the precinct.

Map 1 to Schedule 13 to Clause 43.02



24/02/2022
C131hbay

SCHEDULE 14 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO14**.

LAND AT 240-258 KORORoit CREEK ROAD, WILLIAMSTOWN NORTH

Map 1 to Schedule 14 to Clause 43.02



1.0 Design objectives

10/09/2021
C126hbay

To facilitate residential development that achieves a high quality architectural and urban design outcome.

To ensure that the height, scale, bulk, form, setback and appearance of new development resoponds to the preferred character of the setting.

To create attractive frontages to Kororoit Creek Road and Hygeia Avenue that reinforce the street pattern and assist in demarcating the urban gateway and residential edge.

To minimise the number of access points from the site to Kororoit Creek Road.

To connect vehicular and pedestrian access within the site and to the surrounding area.

To allow for medium density residential development that transitions to existing residential areas.

To manage the risk associated with possible sea level rise.

To provide an appropriate interface with the adjoining drainage channel.

2.0 Buildings and works

24/02/2022
C131hbay

The form and scale of development facing Kororoit Creek Road and Hygeia Avenue should be designed to achieve a strong streetscape address and integrate successfully into the existing street pattern in terms of frontage, setback, entries and forms.

Front fences should be a maximum height of 1.2 metres, or 1.8 metres with a minimum 75% transparency.

Car parking must not be visually obtrusive and should not dominate the proposal.

The proposed site layout must provide vehicular and pedestrian linkages with Kororoit Creek Road, Hygeia Avenue and existing and future streets within the area.

Buildings must be appropriately designed to mitigate risks associated with possible sea level rise.

3.0 Subdivision

10/09/2021
C126hbay

None specified.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

24/02/2022
C131hbay

The following application requirements apply to an application for a permit under clause 43.02, in addition to those specified elsewhere in the scheme:

- A Social Impact Assessment (that considers affordable housing and how it will be provided within the proposed development to the satisfaction of the Responsible Authority) to support any development proposal. The SIA for 240 - 258 Kororoit Creek Road must address the loss of low cost accommodation.
  A traffic report that demonstrates the capacity to accommodate increased traffic flows from the proposed development.
  A vegetation assessment that identifies significant vegetation on the site and their potential habitat significance.

6.0 Decision guidelines

24/02/2022
C131hbay

Before deciding on an application the responsible authority must consider:

- The design and materials of the development to ensure a high quality architectural outcome is achieved and sits comfortably in the existing neighbourhood context.
- The impacts of development on abutting residential development.
- Finished floor levels required to protect buildings from the impacts of possible sea level rises.
- The interface of the development with the abutting drainage channel.
- Vehicular and pedestrian integration of the development with the broader neighbourhood.
- Whether the development design response for siting, building form, vegetation, front boundary treatment, and colours and materials is appropriate.
- Improved Housing Choices for Residents on Low Incomes (Affordable Housing) Policy Statement (8 February 2011, as amended from time to time).
- Preparing Social Impact Assessments Applicant Guidelines (22 March 2011, as amended from time to time).
- Whether increased traffic flows from the proposed development can be accommodated.
- Integration of the proposed development within the site and surrounding street network.
- Whether coastal hazards have been identified and will be appropriately managed to ensure that the proposed development is not at risk.

10/09/2021
C126hbay

SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO15**.

WEST GATE TUNNEL PROJECT – TUNNEL PROTECTION AREA 1

1.0 Design objectives

10/09/2021
C126hbay

To avoid direct contact with and to provide a safe working clearance around the West Gate Tunnel.

To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or West Gate Tunnel.

To avoid Loading onto the West Gate Tunnel that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the West Gate Tunnel to the detriment of freeway operations.

To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage to the West Gate Tunnel.

To prevent development and construction methods that could generate unacceptable levels of vibration in the West Gate Tunnel.

To ensure that development of land does not rely upon direct structural support from the West Gate Tunnel unless specifically envisaged in the West Gate Tunnel design.

To ensure that the potential effects of development on the West Gate Tunnel, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

In this schedule:

- **Project** means the use and development of land the subject of the *West Gate Tunnel Project Incorporated Document, December 2017*.
- **West Gate Tunnel** includes the tunnels to be developed as part of the Project together with associated infrastructure and equipment.
- **Loading** (and unloading) means the increase (or decrease) in force and/or stress to a structure or asset.
- **Surface Level** means the level of the land at any point to Australian Height Datum (AHD) on 8 March 2018 as supplied by the relevant referral authority.

2.0 Buildings and works

10/09/2021
C126hbay

A permit is not required under this schedule for:

- A new building of up to five storeys in height without a basement provided any footing is founded no more than three metres below Surface Level.
- A temporary structure of no more than five storeys.
- Excavation works where the depth of excavation is not more than three metres below Surface Level .
- A pole, sign or retaining wall provided any footing is founded no more than three metres below Surface Level.
- An underground utility provided any trench is no more than three metres below Surface Level.
- Earthworks that do not build up the ground level by more than three metres above Surface Level.
- Buildings and works associated with the construction, operation, maintenance or repair of the Project or the West Gate Tunnel.

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 the Schedule to Clause 66.04.

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.

3.0 Subdivision

10/09/2021
C126hbay

A permit is not required to subdivide land.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works

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

- Site and layout plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - Adjoining roads and infrastructure.
  - Relevant ground levels and Surface Levels to AHD
  - The layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling.
  - The location and use of all existing and proposed buildings.
- Sections and elevations drawn to scale which show:
  - The boundaries and dimensions of the site.
  - The depth of any basements.
  - The proposed foundations, including their form, founding levels and loads.
  - The details of any proposed drainage system, including any discharge outlet.
- Details relating to the staging of development and the likely timing of each stage.
- Either of the following:
  - Details of any consultation undertaken with the person or body specified as the referral authority in the Schedule to Clause 66.04 prior to the date the application is lodged with the responsible authority; or
  - The written approval of the person or body specified as the referral authority in the Schedule to Clause 66.04 dated no more than three months prior to the date the application is lodged with the responsible authority.

6.0 Decision guidelines

10/09/2021
C126hbay

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the relevant referral authority.
- Any technical guidelines prepared by the relevant referral authority.
- The design objectives of this schedule.

10/09/2021
C126hbay

SCHEDULE 16 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO16**.

WEST GATE TUNNEL PROJECT – TUNNEL PROTECTION AREA 2

1.0 Design objectives

10/09/2021
C126hbay

To avoid direct contact with and to provide a safe working clearance around the West Gate Tunnel.

To ensure development does not adversely affect or put at risk the construction, integrity or operation of the Project or West Gate Tunnel.

To avoid Loading onto the West Gate Tunnel that could lead to structural damage or impact, reduced structural capacity, damage detrimental to the serviceability of the structures, or displacement of the West Gate Tunnel to the detriment of freeway operations.

To avoid excavations or other unloading of the ground that could lead to structural, serviceability, or operational damage to the West Gate Tunnel.

To prevent development and construction methods that could generate unacceptable levels of vibration in the West Gate Tunnel.

To ensure that development of land does not rely upon direct structural support from the West Gate Tunnel unless specifically envisaged in the West Gate Tunnel design.

To ensure that the potential effects of development on the West Gate Tunnel, and the consequences of those effects on the wider Melbourne transport network are appropriately managed or mitigated.

In this schedule:

- **Project** means the use and development of land the subject of the *West Gate Tunnel Project Incorporated Document, December 2017*.
- **West Gate Tunnel** includes the tunnels to be developed as part of the Project together with associated infrastructure and equipment.
- **Loading** (and unloading) means the increase (or decrease) in force and/or stress to a structure or asset.
- **Surface Level** means the level of the land at any point to Australian Height Datum (AHD) on 8 March 2018 as supplied by the relevant referral authority.

2.0 Buildings and works

10/09/2021
C126hbay

A permit is not required under this schedule for buildings and works associated with the construction, operation, maintenance or repair of the Project or the West Gate Tunnel.

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 the Schedule to Clause 66.04.

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.

3.0 Subdivision

10/09/2021
C126hbay

A permit is not required to subdivide land.

4.0 Signs

10/09/2021
C126hbay

None specified.

5.0 Application requirements

10/09/2021
C126hbay

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Buildings and works

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

- Site and layout plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - Adjoining roads and infrastructure.
  - Relevant ground levels and Surface Levels to AHD
  - The layout and dimensions of existing and proposed buildings and works, including foundation details, loadings and proposed levels of bulk excavation or filling.
  - The location and use of all existing and proposed buildings.
- Sections and elevations drawn to scale which show:
  - The boundaries and dimensions of the site.
  - The depth of any basements.
  - The proposed foundations, including their form, founding levels and loads.
  - The details of any proposed drainage system, including any discharge outlet.
- Details relating to the staging of development and the likely timing of each stage.
- Either of the following:
  - Details of any consultation undertaken with the person or body specified as the referral authority in the Schedule to Clause 66.04 prior to the date the application is lodged with the responsible authority; or
  - The written approval of the person or body specified as the referral authority in the Schedule to Clause 66.04 dated no more than three months prior to the date the application is lodged with the responsible authority.

6.0 Decision guidelines

10/09/2021
C126hbay

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the relevant referral authority.
- Any technical guidelines prepared by the relevant referral authority.
- The design objectives of this schedule.

11/02/2026
C133hbay

SCHEDULE 18 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO18**.

NEWPORT STRUCTURE PLAN – SOUTHERN PRECINCT

1.0 Design objectives

11/02/2026
C133hbay

To encourage development that accommodates retail, hospitality and commercial uses at ground level, and shop-top housing at upper levels.

To ensure development respects the scale of adjoining residential properties.

To ensure development provides active and articulated ground level street frontages.

To ensure development respects the scale and architectural features of heritage buildings and places.

To encourage sustainability and innovation in built form.

2.0 Buildings and works

11/02/2026
C133hbay

A permit may be granted to construct a building or construct or carry out works in Area A or B which do not comply with the building height, street setback and residential interface requirements specified in Tables 1 and 2.

The requirements in Tables 1 and 2 apply to an application to construct a building or construct or carry out works.

Map 1

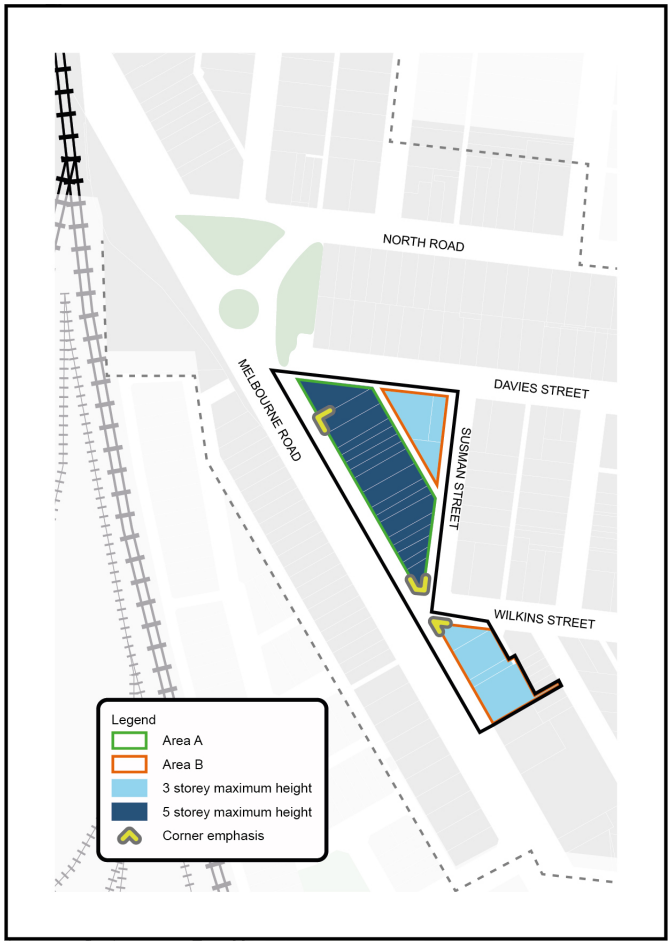


Table 1. Area A – Melbourne Road (South) Retail Core

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 18 metres and 5 storeys.
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground floor level should have a floor-to-floor height of 3.5 metres.
Street setback	For sites facing Melbourne Road, walls of buildings should be set back from the front street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ 4.5 metres for any part of a building above 11 metres with a continuous street wall edge. Built form articulation, such as windows, ledges or other detailing may encroach within the setback distance above 11 metres. For a corner site, walls of buildings should be set back from the side street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge. ▪ Building levels above 3 storeys should be distinctly recessed from the side street podium wall.
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 1.5 metres. For multi-storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 4.5 metres.
Public realm interface	New buildings should: ▪ Provide fine grain active ground floor frontage for sites facing Melbourne Road (minimum 80% active frontage). ▪ Provide verandah awnings or similar weather protection for pedestrians for frontages on Melbourne Road. Buildings should not overshadow the opposite footpath of adjoining streets between 10:00am and 3:00pm on 22 September.
Corner emphasis	Buildings on corner sites should provide active and articulated ground floor frontages to both streets. Building design should emphasise the corner locations shown in Map 1 by reduced street wall setbacks above 11 metres and building height to the maximum of 18 metres.

Table 2. Area B – Gateway and residential interface areas

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Building height	Building height should not exceed 11 metres and 3 storeys.

DESIGN OR BUILT FORM ELEMENT	REQUIREMENT
Floor to floor height	Ground level floor to floor height should be 4 metres. Storeys above ground level should have floor-to-floor heights of 3.5 metres.
Street setback	Walls of buildings should be set back from the front or side street: ▪ 0 metres up to and including a height of 11 metres with a continuous street wall edge.
Heritage areas	For single storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 1.5 metres. For multi-storey contributory or individual Heritage Overlay buildings: ▪ Street walls above the facade should be set back a minimum of 4.5 metres.
Residential interface	For the site at 300-302 Melbourne Road, new buildings along the rear and southern boundary should limit the impact on the amenity of existing dwellings and secluded private open space through a suitable design response.
Public realm interface	New buildings should: ▪ Provide active ground floor frontage for sites at 304-306 Melbourne Road, 33-35 Davies Street and 1 Susman Street (minimum 70% active frontage). ▪ Provide verandah awnings or similar pedestrian shelter for sites facing Melbourne Road.
Corner emphasis	Buildings on corner sites should provide active ground floor frontages to both streets. Building design should emphasise the corner location shown in Map 1 by providing street walls to the maximum height of 11 metres.

3.0 Subdivision

11/02/2026
C133hbay

None specified.

4.0 Signs

11/02/2026
C133hbay

None specified.

5.0 Application requirements

11/02/2026
C133hbay

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 report that indicates how a proposal to reuse or redevelop a building within a heritage overlay is compatible with the scale and architectural features of the building and adjoining sites within a heritage overlay
- A report demonstrating how the development mitigates potential noise impacts on surrounding properties. Design responses may include acoustic mitigation and use of absorption materials.

6.0 Decision guidelines

11/02/2026
C133hbay

None specified.

43.04 DEVELOPMENT PLAN OVERLAY

31/07/2018
VC148

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

Purpose

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

To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.

To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

43.04-1 Objectives

31/07/2018
VC148

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

43.04-2 Requirement before a permit is granted

31/07/2018
VC148

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

43.04-3 Exemption from notice and review

31/07/2018
VC148

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.04-4 Preparation of the development plan

25/02/2025
VC257

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Housing Choice and Transport Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.

10/09/2021
C126hbay

SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO1**.

This schedule applies to land generally known as:

- 430-436 Blackshaws Road, Altona North

1.0 Objectives

10/09/2021
C126hbay

None specified.

2.0 Requirement before a permit is granted

10/09/2021
C126hbay

A permit may be granted before a development plan has been approved for:

- Any buildings or works associated with the remediation of land in accordance with or for the purpose of obtaining a Certificate or Statement of Environmental Audit under the *Environment Protection Act 1970*.
- Subdivision.
- Creation, variation or removal of easements or restrictions.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the preparation of a Development Plan and future use and development of the land in an integrated manner.

3.0 Conditions and requirements for permits

10/09/2021
C126hbay

Except for a permit granted before a development plan has been approved in accordance with Clause 2.0 of this Schedule, a permit must contain the following conditions:

- A construction management strategy must be submitted to and approved by the Responsible Authority which
  - Details measures to be implemented to minimise adverse impacts during the development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on site.
  - Details the measures to be implemented to minimise the generation of sediment on the site, the transport of sediment onto public roads and into drains and waterways and the generation of dust.
  - Shows the designation of tree protection zones for canopy trees to be retained on the land.
  - Shows the location of site offices, off-street vehicle parking for construction vehicles and employees.
  - Details the methods to be used for the collection and disposal of construction waste and the storage of construction materials.
  - Details of the hours of construction on the site.
- All works conducted on the land must be in accordance with the approved construction management strategy.

4.0 Requirements for development plan

10/09/2021
C126hbay

In preparing a development plan or an amendment to a development plan, the following should be achieved:

- Where residential uses are proposed, a range of dwelling types, as appropriate, to cater for a variety of housing needs.

- Sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Variation to building forms across the site.
- Internal amenity for future residents.
- Protection of the amenity of adjoining sites by providing for a maximum of 2 storey built form adjacent to or opposite any existing single or double storey residential development.
- Graduation of taller buildings across the balance of the site with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- A positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.
- Improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate that link to the existing networks.
- Where provided, locate open space adjacent to existing or proposed pedestrian/cycle pathways.
- Retention of vegetation where appropriate.

Development plan components

The development plan must be prepared in consultation with the Roads Corporation and include the following information:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, existing canopy trees, vegetation and development and social infrastructure.
- Concept plans for the layout of the site which show:
  - Identification of sensitive interface areas.
  - The type and location of proposed uses on the site.
  - Proposed lot and road layout, new building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space.
  - Stormwater and drainage management treaments including any water sensitive design, or integrated water management elements.
  - Three dimensional building envelope plans including indicative building heights and setbacks.
  - The design philosophy for the site and indicative architectural themes.
  - Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.
  - An indicative development schedule including the number, type and density of dwellings and the floor area of any proposed non-residential uses.
  - Where non-residential uses are proposed, details of the nature of the proposed use.
- A traffic management report and car parking plan, which identifies:
  - Roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
  - Any traffic management measures.

  - Location of and linkages to public transport.
  - Car parking rates for all uses, including visitor parking.
  - Provision for bicycle facilities.
  - Proposed staging plan (if relevant).
- An arboricultural assessment of any significant vegetation on the land, including advice on the long-term health and retention value of such vegetation.
- A landscape plan for the site, including principles and guidelines.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular Development Plan or part of a Development Plan.

09/02/2023
C114hbay

SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

PRECINCT 16 WEST

1.0 Objectives

09/02/2023
C114hbay

To create a residential area that is responsive to its context, including industrial operations and provides a transition in character at its interfaces with existing adjoining residential areas.

To encourage sustainable urban renewal and increased housing affordability, diversity and density within the site.

To create varied, engaging and high quality architectural forms, a landscaped environment and sustainable movement networks.

To ensure residential development provides a reasonable level of amenity for future occupiers of the site, including but not limited to protecting future residents from the adverse impacts of industrial and traffic noise, odour, dust, vibration and the visual impact of the railway line and industrial development.

To protect the operations of the state and nationally significant Spotswood Locomotive Maintenance Centre from potential adverse effects of residential encroachment.

2.0 Requirement before a permit is granted

09/02/2023
C114hbay

A permit may be granted before a development plan has been approved for:

- Any buildings or works associated with the remediation of land in accordance with or for the purpose of obtaining a preliminary risk screen assessment statement stating that an environmental audit is not required or a Statement of Environmental Audit under the *Environment Protection Act 2017*.
- Subdivision.
- Creation, variation or removal of easements or restrictions.
- Any buildings and works associated with the existing operations at 5-7 Sutton Street.

Before granting a permit, the responsible authority must be satisfied that the permit will not prejudice the future use and integrated and orderly development of the site in accordance with the Development Plan requirements specified in this Schedule.

3.0 Conditions and requirements for permits

09/02/2023
C114hbay

The following conditions and/or requirements apply to permits unless otherwise agreed in writing with the Responsible Authority:

- Any development that will accommodate residential or other noise-sensitive uses must be designed and constructed to include noise attenuation measures. These noise attenuation measures must ensure that: Any development that will accommodate residential or other noise sensitive uses must be designed and constructed to include noise attenuation measures. These noise attenuation measures must ensure that:
  - Combined external noise from industry, trains and road traffic impacting residential uses is attenuated 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.

      Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

- Combined external noise from industry, trains and road traffic impacting sensitive uses other than residential uses or impacting areas of residential development other than bedrooms and living areas, is attenuated to achieve the median value of the range of recommended design sound levels of Australian Standard AS/NZ 2107:2016 (Acoustics – Recommended design sound level and reverberation times for building interiors).
  These noise levels are to be measured internally at the expected occupancy position(s) in the space relevant to the noise of interest with doors and windows closed. The preferred positions are at least 1 m from the walls or other major reflecting surface, 1.2 m to 1.5 m above the floor and about 1.5 m from windows.
- Industrial noise received at new residential or other noise sensitive uses achieves internal noise levels assessed in accordance with the Noise Protocol (EPA Publication 1826.4) with the implementation of an indoor adjustment of 20 dB, while allowing for operable windows. These noise levels are to be measured internally at the expected occupancy position(s) in the space relevant to the noise of interest with doors and windows closed. The preferred positions are at least 1 m from the walls or other major reflecting surface, 1.2 m to 1.5 m above the floor and about 1.5 m from windows.
- The assessment of noise emanating from the Spotswood Maintenance Centre and Able Industries Engineering used to inform reasonably practicable noise mitigation measures must consider the status of compliance at the new sensitive use in relation to the Noise Protocol and also include a comprehensive assessment of the activities in consultation with Spotswood Maintenance Centre and Able Industries Engineering – both current and reasonably foreseen planned future activities (subject to those activities being compliant with environmental noise obligations at existing sensitive uses).
- Train airborne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 55 dBA, Lmax in bedrooms at night and a noise level of 60 dBA, Lmax in living areas. These noise levels are to be measured at the expected occupancy position(s) in the space relevant to the noise of interest with doors and windows closed. The preferred positions are at least 1 m from the walls or other major reflecting surface, 1.2 m to 1.5 m above the floor and about 1.5 m from windows. -The measurements should be undertaken using a ‘fast’ meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed).
- Train ground borne noise received at new residential or other noise sensitive uses is attenuated to achieve a noise level of 35 dBA, Lmax, slow, in bedrooms and 40 dBA, Lmax, slow, in living areas. These noise levels are to be measured internally at the expected occupancy position(s) in the space relevant to the noise of interest with doors and windows closed. The preferred positions are at least 1 m from the walls or other major reflecting surface, 1.2 m to 1.5 m above the floor and about 1.5 m from windows. The measurements should be undertaken using a ‘slow’ meter time weighting, and must be achieved for 95% of train pass-bys (i.e. 5%, 1 in 20 trains may exceed). This assessment of train ground borne noise is only to be applied for new residential or other noise sensitive uses where train ground borne noise is the dominant source of noise (i.e. higher than the train airborne noise).
- Noise associated with Spotswood Maintenance Centre and Able Industries Engineering received at new residential or other noise sensitive uses is attenuated to achieve an internal maximum noise level of 55 dBA Lmax, in bedrooms, during the night. These noise levels are to be measured internally at the expected occupancy position(s) in the space relevant to the noise of interest with doors and windows closed. The preferred positions are at least 1 m from the walls or other major reflecting surface, 1.2 m to 1.5 m above the floor and about 1.5 m from windows.
- Any development that will accommodate residential or other vibration-sensitive uses must be designed and constructed to include vibration attenuation measures. These vibration attenuation measures must ensure that train vibration received at new residential or other

vibration-sensitive uses meet acceptable vibration levels in accordance with British Standards BS 6472-1:2008 or other industry accepted vibration assessment standards addressing human exposure.

The following conditions apply to permits for development:

- Prior to the occupation of any building, a report prepared by a suitably qualified acoustic and vibration consultant which certifies compliance with the noise and vibration criteria set out in clause 3.0 of Schedule 2 to the Development Plan Overlay must be provided to the satisfaction of the responsible authority.
- Any buildings and works required to achieve compliance with the noise and vibration criteria set out in clause 3.0 of the Schedule 2 to the Development Plan Overlay must be installed and maintained to the satisfaction of the Responsible Authority.
- Prior to the commencement of the development, the owner must submit to the satisfaction of the Head, Transport for Victoria and the Responsible Authority, a report prepared by a suitably qualified traffic engineer that provides an analysis of pedestrian and traffic movements at the intersection of Blackshaws Road and Sutton Street. The report must include:
  - Analysis of an appropriately prepared base conditions model, incorporating:
    - Recently collected existing traffic, bicycle and pedestrian volumes.
    - Traffic impacts of nearby development, including but not limited to development within Precinct 16 West, Precinct 16 East, Precinct 15, Precinct 17, and 31-69 McLister Street, Spotswood.
    - Consideration of the West Gate Tunnel works.
    - Traffic growth along Blackshaws Road until the implementation of the traffic signals.
    - B-Double movements to and from 5-7 Sutton Street.
  - Analysis of a post-development conditions model, reflecting the base conditions model and development traffic.
- Unless the traffic report demonstrates that traffic management and associated civil works are not required earlier to support the development and safe movements of pedestrians, cyclists and traffic the following works must be delivered to the satisfaction of the Head, Transport for Victoria and the Responsible Authority:
  - the interim intersection treatment at the corner of Sutton Street and Blackshaws Road including a dedicated right turn lane on Blackshaws Road and localised widening on east side Sutton Street with a painted centre median prior to the statement of compliance of the 50thresidential lot within Precinct 16 West. (Generally in accordance with Traffix Group Plan Sutton Street South Kingsville Concept Plan – Interim Dwg No. G27836-01-01 Issue G)
  - the pre-ultimate intersection treatment including a signalised intersection at the corner of Sutton Street and Blackshaws Road with the interim configuration prior to the statement of compliance of the 150th residential lot within Precinct 16 West (Generally in accordance with Traffix Group Plan Sutton Street South Kingsville Concept Plan – Pre-ultimate Dwg No. G27836-01-03 Issue D)
  - the ultimate intersection treatment including separate right and left turn lanes exiting Sutton Street after the cessation of operations on-site at 5-7 Sutton Street Spotswood or a traffic management plan for the site identifies that pre-ultimate intersection configuration is not required to facilitate construction access. (Generally in accordance with Traffix Group Plan Sutton Street South Kingsville Concept Plan – Ultimate Dwg No. G27836-01-02 Issue D)

4.0 Requirements for development plan

09/02/2023
C114hbay

A development plan, which may consist of plans and/or other documents, must be prepared for the site to the satisfaction of the responsible authority.

The development plan for the site or for any sub-precinct may be amended from time to time to the satisfaction of the responsible authority.

The development plan may be prepared in parts relative to the sub-precincts depicted on the Precinct 16 West Framework Plan if the responsible authority is satisfied that this will not prejudice the future use and integrated and orderly development of the site in accordance with the development plan requirements.

The development plan for the site or for any sub-precinct must achieve the following Vision for the site, and be generally in accordance with the Precinct 16 West Framework Plan at Clause 5.0 to the satisfaction of the responsible authority.

Vision

Precinct 16 West will:

- Become a sustainable residential community, integrated with Precinct 16 East and complementing the broader existing residential neighbourhood.
- Be redeveloped to provide a predominantly medium to higher density residential development, providing homes for a diversity of households including affordable housing and incorporating public open space and sustainable movement links.
- Implement innovative ESD features, providing opportunities for best practice in environmental management.
- Protect the ongoing operation of industrial land use and infrastructure, incorporating residential amenity protection measures that display a high level of architectural resolution, even if temporary in nature.
- Ensure stages of the development will be managed to minimise amenity impacts to new residents until industrial uses on the site are discontinued.

The development plan(s) must include the following requirements to the satisfaction of the responsible authority:

General

- A site analysis plan that identifies the key attributes of the site (or the sub-precinct), its context, the surrounding area and its relationship with adjoining land.
- An urban context and analysis response that contains a thorough assessment of the opportunities and constraints of the site (or the sub-precinct).
- A land use summary including an indicative number or density of dwellings for the site or the sub-precinct.

Built form and layout

- Concept plans or equivalent documents that describe the layout and development of the site or the sub-precinct including:
  - building heights;
  - street layout;
  - indicative location of public open space (if proposed);
  - the siting and orientation of built form;
  - variation to building forms across the site or sub-precinct;
  - waste collection and storage locations;

- graduation of taller buildings with reference to analysis of shadow, visual amenity impacts and the character of the area;
- measures needed to ensure reasonable residential amenity is achieved given amenity impacts and emissions from non-residential uses;
- indicative architectural and building design details including materials, styles, elevations and cross-sections;
- a maximum average site coverage of 85%
- setbacks including but not limited to:
  - a minimum 4 metre setback from Sutton Street;
  - a minimum 3 metre setbacks on internal roads.

- Design guidelines for the site (or sub-precinct) to ensure development will:
  - Integrate with development in adjoining sub-precincts and respond to the character of established areas in particular the established character to the western side of Stephenson Street;
  - Provide appropriate internal amenity for new residents and protect the amenity of existing residents;
  - Provide for a diversity of dwelling types, as appropriate, to cater for a variety of housing needs;
  - Provide typical dwelling layouts for standard lot sizes proposed;
  - Include active frontages for lots that share an interface with a reserve or street to ensure a quality design, surveillance and permeable outcomes as appropriate;
  - Include sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower living costs for future residents and aid in the reduction of energy and water consumption, the generation of waste and greenhouse emissions;
  - Ensure out buildings and service areas have minimal visibility from any public open space or street;
  - Include temporary acoustic measures where appropriate that are designed to a high standard and are not visually intrusive within the landscape;
  - Promote urban legibility and public access to and through the site;
  - Ensure new buildings are designed to distribute access to outlook and sunlight between built forms;
  - Demonstrate high quality and diverse built form outcomes that contribute to the built form character of the neighbourhood and its surrounds;
  - Ensure that building heights consider and respond to the over shadowing effects within the site;
  - Ensure that building heights provide an appropriate transition to site interfaces;
  - Ensure street level interface treatments contribute to high levels of pedestrian amenity and safety;
  - Provide acoustic design treatments that addresses the impact of existing and potential noise particularly from the Spotswood Maintenance Centre;
  - Collectively form a coherent and identifiable precinct;
  - Provide for safe and convenient vehicular and pedestrian access;
  - Minimise, where practical, the impact of vehicles on public space.

Access and transport

A Traffic Impact Assessment and car parking plan prepared by a suitably qualified engineering consultant that ensures the creation of a safe and efficient road network within and adjacent to the site. The Traffic Impact Assessment should include:

- The existing capacity of the surrounding road network having regard to a traffic base case that includes the impact of traffic from Precinct 16 East, Precinct 15, Precinct 17 and 31- 69 McLister Street, South Kingsville and the Westgate Tunnel as well as pedestrian and road safety requirements;
- Existing roads, pedestrian, cyclist and vehicle access locations;
- An assessment of the impact of traffic and car parking generated by the use and development of the site;
- A summary of the internal road network (including street widths and general design) and its appropriateness when considered in relation to clause 56;
- Details of proposed car parking;
- The design of internal network to encourage cycling and pedestrians to travel through the site;
- How the impacts of new vehicle access points on pedestrian and bicycle priority routes will be reduced;
- Any proposed traffic management measures within the site or in the surrounding street network;
- Location and linkages to the public transport network;
- Any necessary transitional arrangements to ensure existing access rights are protected for the industrial operations at 5-7 Sutton Street, South Kingsville;
- No direct access from future dwellings to Stephenson Street;
- Proposed staging plan (if relevant);
- Measures to ensure development does not compromise the delivery of future public transport.

Use transition

Demonstrate measures to protect the ongoing industrial uses during transition of the site to residential use, including protection of existing access rights to 5-7 Sutton Street, South Kingsville while the industrial uses on this property continue. The development plan should include interim and ultimate arrangements in response to this issue with the interim arrangements demonstrating how the existing access from Sutton Street and via Blackshaws Road will be maintained

Open space and landscape

A landscape report, which identifies:

- Key measures and objectives to ensure that a high quality public realm is achieved with details of proposed landscaping in streets and public open spaces;
- Links to existing and proposed open spaces;
- A landscape concept plan for public open space and roads, with indicative themes and planting schedules;
- Street and public open space cross sections to demonstrate an appropriate landscape outcome;
- Details of water sensitive design initiatives.

Site Remediation Strategy

A Site Remediation Strategy must be submitted with the Development Plan to the satisfaction of the responsible authority to address and make recommendations in relation to:

- Potential impacts of any land or ground water contamination on the proposed land use;

- The proposed pattern, siting and arrangement of land uses across the site or sub-precinct (including residential, public and community uses) and any particular design requirement the development may be subject to;
- Options and a preferred approach to the testing and clean up activities;
- An indicative site map showing locations across the site or sub-precinct of any identified contamination and any proposed clean up activities;
- A schedule of proposed clean up activities;
- Expected staging and indicative timeframes for any works required by the preliminary risk screen assessment or Statement of Environmental Audit across the site following the clean up activities for the site or sub-precinct, if required;
- Indicative site management and monitoring controls that will be necessary following each clean up activity; and
- The parties responsible for key activities and for subsequent site management and monitoring.

The Site Remediation Strategy may be prepared in stages.

Prior to the approval of Development Plans a preliminary risk screen assessment statement must be issued stating that an environmental audit is not required or a Statement of Environmental Audit must be prepared and approved for the site.

The Site Remediation Strategy will be required to reflect the recommendation or requirement of any Statement of Environmental Audit or preliminary risk screen assessment statement.

Affordable housing

Measures to encourage that an affordable housing contribution is provided equivalent to a minimum of 5 per cent of the total number of dwellings to be developed in each sub-precinct. The contribution is to be based on a discount of 25 per cent to the market value.

Acoustic and vibration impacts

A report, which addresses the following:

- An assessment of acoustic and vibration impacts on the site with reference to the existing Spotswood Maintenance Centre, existing industrial use at 5-7 Sutton Street and the adjacent railway line. The assessment must include recommended measures to manage acoustic and vibration impacts at the ultimate developed outcome and also confirm that a reasonable interim arrangement can be achieved during development of the site. The report must have consideration for EPA publication 1826.4 Noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues (Noise Protocol).
- Identification of potential impacts on future development in the site.
- The proposed design treatment of the interface with industry, including setbacks, fencing, landscaping, internal building layout, noise attenuation construction measures and any other measures required to minimise impacts.
- The proposed design and treatment of the interface with the railway line specifically relating to how it will ensure:
  - Any pedestrian or cyclist breaks in the noise wall for the pedestrian rail crossing still enable the noise attenuation targets to be met.
  - Reflected noise north of the railway line will not result in an unacceptable increase in noise at existing residences.
- Consider amenity of future residents in line with Standard D16 at Clause 58 of the Scheme, assuming that the site is located in a ‘noise influence area’.

Environmentally Sustainable Development Strategy

An Environmentally Sustainable Design Strategy must be prepared which considers and responds to the proposed development and construction processes and:

- Demonstrates the incorporation of recognised technologies and best practice;
- Identifies and nominates the level of sustainability performance standards to be adopted;
- Assesses options by which the nominated level of sustainable performance standards will be achieved.

The ESD Strategy must have regard to the local policy, Environmentally Sustainable Development at Clause 15.02-L.

Stormwater

A stormwater management strategy to the satisfaction of the council addressing the requirements for volumes and quality of stormwater runoff, details of on-site stormwater retention (if required) and how the development of the site will meet the requirements of Clause 53.18 – Stormwater Management in Urban Development (where applicable) and Melbourne Water Guidelines for Development in Flood Affected Areas (DELWP, 2019).

Major pipeline infrastructure

A report that outlines the impact of the proposed development of that sub-precinct of the site adjacent to pipeline infrastructure both during construction and post-construction on the Somerton to Altona, South Melbourne to Brooklyn and West Footscray to Williamstown Licensed Pipelines, in the context of a pipeline risk assessment, and any measures required to ensure the ongoing maintenance and operation of the pipeline.

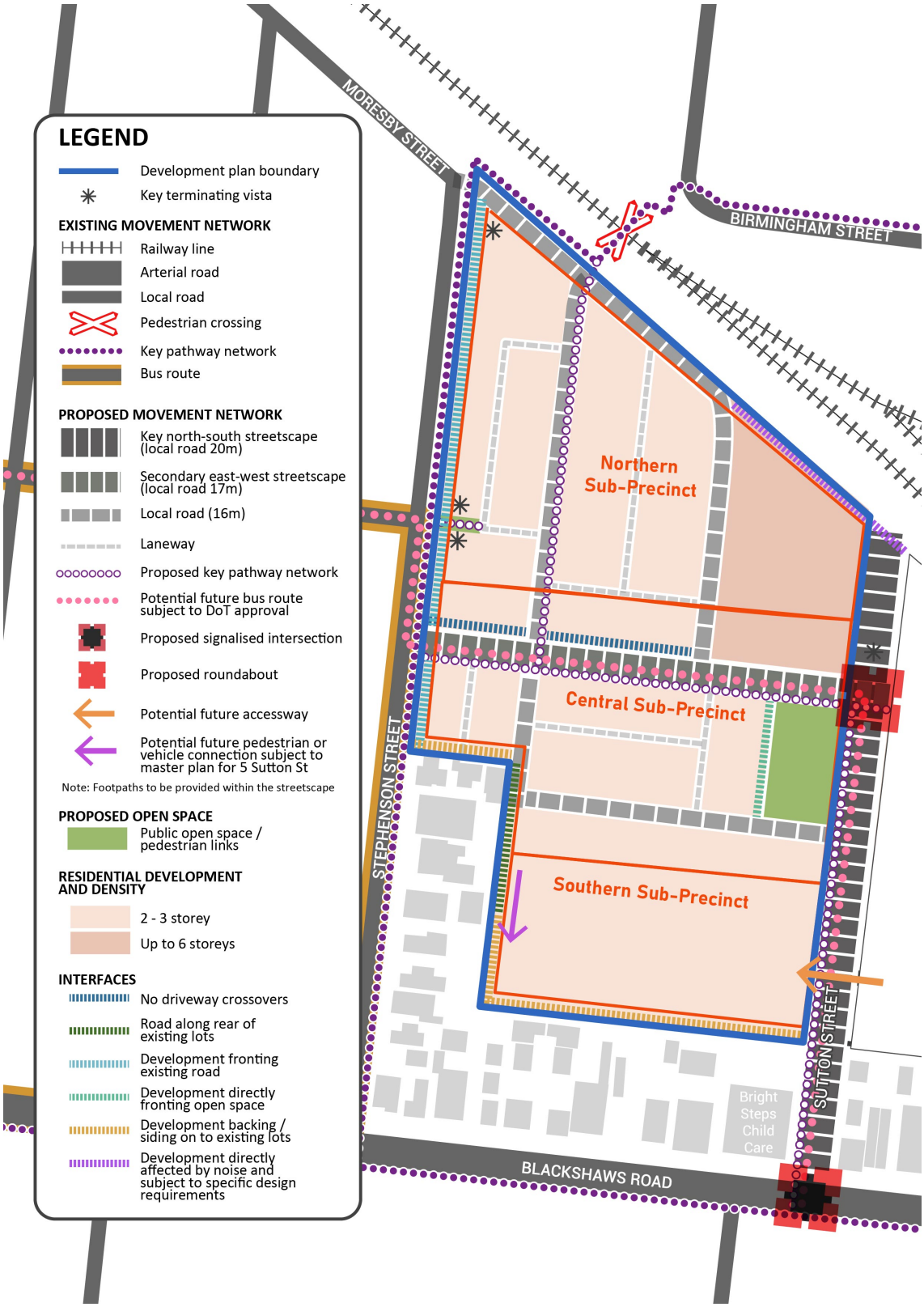
This report must be prepared in conjunction with the relevant authorities and stakeholders and according to their requirements. The recommendations of this risk assessment are to be incorporated into any final development plan approval.

Infrastructure and staging

A report must be submitted with the development plan that assesses the impact of the development on local infrastructure and a staging plan that includes (but is not limited to) the following (as required):

- Access arrangements while the southern sub-precinct continues to operate as an industrial use;
- Any temporary acoustic attenuation measures;
- Staging for delivery of infrastructure to facilitate the development including traffic signals at Sutton Street and Blackshaws Road; and
- Anticipated staging of the development.

Precinct 16 West Framework Plan



43.05 NEIGHBOURHOOD CHARACTER OVERLAY

31/07/2018
VC148

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 Neighbourhood character statement and objectives

19/01/2006
VC37

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 Permit requirement

14/12/2023
VC253

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.

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 Modification to Clause 54 and Clause 55 standards

08/09/2025
VC282

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 Other requirements

31/03/2025
VC267

A schedule to this overlay may specify additional requirements not specified in clauses 54 and 55.

43.05-5 Exemption from notice and review

31/03/2025
VC267

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 Decision guidelines

31/03/2025
VC267

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 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.**

FREEMANS ROAD AND CHERRY AVENUE SPECIAL CHARACTER AREAS, ALTONA NORTH

1.0 Statement of neighbourhood character

02/04/2025
VC276

The significance of these areas is derived from the consistent streetscapes of post-war orange and cream brick dwellings set in garden surrounds. These areas are characterised by single storey dwellings with consistent front and side setbacks, low front fences or an absence of front fences. The consistent characteristics include the low-scale horizontal built form, the proportion and style of the dwellings and use of materials.

The preferred neighbourhood character of the Freemans Road and Cherry Avenue areas is defined by preserving the original dwellings, and supporting new dwellings that include and exhibit the key characteristics of the streetscapes including:

- Double and triple-fronted single storey dwellings.
- Use of brick building materials (orange or cream coloured brick, often with decorative trim brickwork).
- Tiled roofs.
- Generous front setbacks.
- Side setbacks that provide one side for car access, with car structures at the rear.
- Low, matching orange and cream brick front fences, or an absence of front fencing.
- Lawns dotted with trees and bushes, mostly exotic.

2.0 Neighbourhood character objective

02/04/2025
VC276

To encourage retention of original dwellings and building features that contribute to the preferred neighbourhood character of the area.

To ensure that new dwellings, or extensions to existing dwellings complement the characteristic pattern of front and side setbacks, low-scale horizontal built form, design and building materials.

To ensure permeable garden space for lawn and vegetation within front setbacks.

3.0 Permit requirement

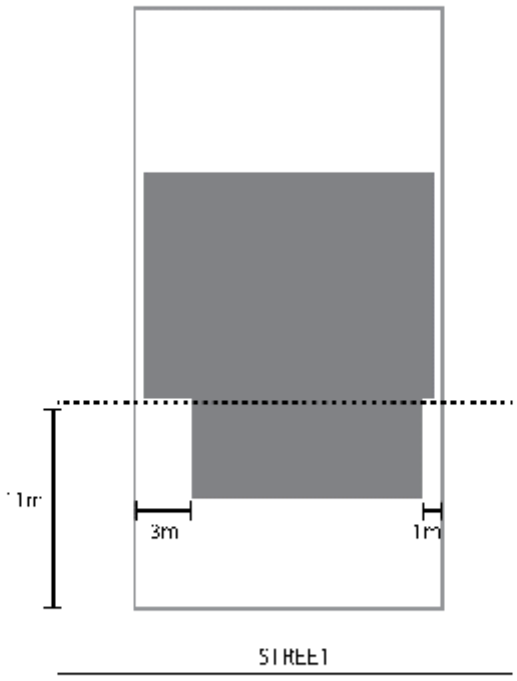
02/04/2025
VC276

A permit is required to demolish or remove a building.

4.0 Modification to Clause 54 and Clause 55 standards

08/09/2025
VC282

Standard	Modified requirement
Street setback A2-1 and B2-1	Front walls of buildings should be set back from the street at least 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. Carports and garages should be set back at least 3 metres behind the front wall of the dwelling. Side street setbacks in accordance with Standard A2-1 and B2-1 continue to apply.
Side and rear setbacks A2-3 and B2-3	A new building within 11 metres of the frontage should be set back at least 1 metre from one side boundary and at least 3 metres from the other side boundary. Rear boundary setbacks in accordance with Standards A2-3 and B2-3 continue to apply.

Standard	Modified requirement
	
Front fences A2-7	A front fence within 3 metres of a street should: ▪ not exceed 0.5 metres ▪ be constructed of brick

5.0 Other requirements

02/04/2025
VC276

Requirement name	Requirement
Design detail	The design of new dwellings and extensions to original dwellings should respect the preferred neighbourhood character of the areas, specifically in relation to: ▪ Scale and built form ▪ Roof form and pitch ▪ Width of eaves ▪ Number of storeys ▪ Materials and finishes ▪ Façade articulation and detailing ▪ Building siting ▪ Siting and design of vehicle access and car parking structures

Requirement name	Requirement
	Building design should complement the predominant double or triple-fronted built forms, use of orange or cream brick, or light coloured weatherboard and tiled roofs wherever any of these characteristics is evident in the streetscape. Hard paving within the front setback should be kept to a minimum to support permeable garden landscape within the frontage.

6.0 Decision guidelines

02/04/2025
VC276

None specified

02/04/2025
VC276

SCHEDULE 2 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY

Shown on the planning scheme map as **NCO2.**

THE AVENUES SPECIAL CHARACTER AREA, ALTONA NORTH

1.0 Statement of neighbourhood character

02/04/2025
VC276

The significance of this area is derived from the consistent streetscape of post-war orange and cream brick, or weatherboard dwellings set in garden surrounds. This area is characterised by single storey dwellings with consistent front and side setbacks, and low front fences. The consistent characteristics include the low scale horizontal form and rhythm of the dwellings, the proportion and style of the dwellings and use of materials.

The preferred neighbourhood character of The Avenues Special Character Area is defined by preserving the original dwellings, and supporting new dwellings that include and exhibit the key characteristics of the streetscape including:

- Double and triple-fronted single storey dwellings
- Use of light-coloured weatherboard, orange or cream brick often with decorative trim brickwork
- Tiled roofs
- Generous front setbacks
- Side setbacks that provide one side for car access with car structures at the rear
- Low, matching orange and cream brick front fences, or an absence of front fencing
- Lawns dotted with trees and bushes

2.0 Neighbourhood character objective

02/04/2025
VC276

To encourage retention of original dwellings and building features that contribute to the preferred neighbourhood character of the area.

To ensure that new dwellings, or extensions to existing dwellings complement the characteristic pattern of front and side setbacks, low-scale horizontal built form, design and building materials.

To ensure permeable garden space for lawn and vegetation within front setbacks.

3.0 Permit requirement

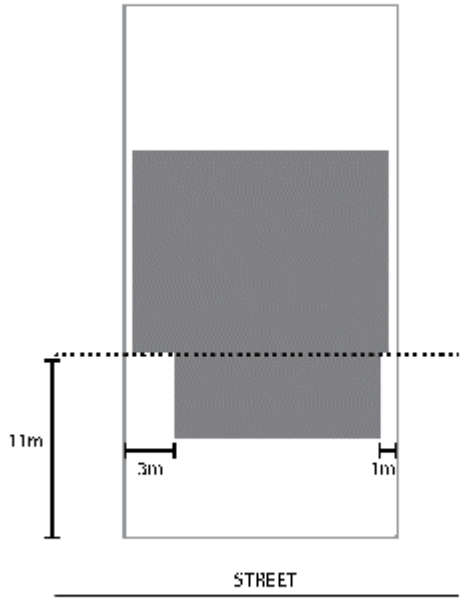
02/04/2025
VC276

A permit is required to demolish or remove a building.

4.0 Modification to Clause 54 and Clause 55 standards

08/09/2025
VC282

Standard	Modified requirement
Street setback A2-1 and B2-1	Walls of building should be set back from street at least 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. Carports and garages should be set back at least 3 metres behind the front wall of the dwelling. Side street setbacks in accordance with Standard A2-1 and B2-1 continue to apply.
Side and rear setbacks A2-3 and B2-3	A new building within 11 metres of the frontage should be set back at least 1 metre from one side boundary, and at least 3 metres from the other side boundary. Rear boundary setbacks in accordance with Standards A2-3 and B2-3 continue to apply.

Standard	Modified requirement
	
Front fences A2-7	A front fence within 3 metres of a street should: ▪ not exceed 0.5 metres ▪ be constructed of brick

5.0 Other requirements

02/04/2025
VC276

Requirement name	Requirement
Design detail	The design of new dwellings and extensions to original dwellings should respect the preferred neighbourhood character of the areas, specifically in relation to: ▪ Scale and built form ▪ Roof form and pitch ▪ Width of eaves ▪ Number of storeys ▪ Materials and finishes ▪ Façade articulation and detailing ▪ Building siting ▪ Siting and design of vehicle access and car parking structures Building design should complement the predominant double or triple-fronted built forms, use of light-coloured weatherboard or orange or cream brick with decorative trim brickwork, wherever any of these characteristics are evident in the streetscape. Hard paving within the front setback should be kept to a minimum to support permeable garden landscape within the frontage.

6.0 Decision guidelines

02/04/2025
VC276

None specified.

02/04/2025
VC276

SCHEDULE 3 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY

Shown on the planning scheme map as **NCO3.**

BELMAR AVENUE SPECIAL CHARACTER AREA, ALTONA

1.0 Statement of neighbourhood character

02/04/2025
VC276

The significance of this area is derived from the consistent streetscape of post-war orange and cream brick, or weatherboard dwellings set in garden surrounds. This area is characterised by single storey dwellings with consistent front setbacks, side setbacks and low front fences. The consistent characteristics include the low scale horizontal form and rhythm of the dwellings, the proportion and style of the dwellings and use of materials.

The preferred neighbourhood character of the Belmar Avenue Special Character Area is defined by preserving the original dwellings, and supporting new buildings that include and exhibit the key characteristics of the streetscape including:

- Double and triple-fronted single storey dwellings.
- Use of brick (orange or cream coloured brick, often with decorative trim brickwork) or weatherboard building materials.
- Hipped roof design.
- Tiled roofs and chimneys.
- Generous front setbacks.
- Side setbacks that provide one side for car access with car structures at the rear.
- Low, matching orange and cream brick front fences, wrought iron fencing, or an absence of front fencing.
- Lawns dotted with trees and bushes.

2.0 Neighbourhood character objective

02/04/2025
VC276

To encourage retention of original dwellings and building features that contribute to the preferred neighbourhood character of the area.

To ensure that new dwellings, or extensions to existing dwellings complement the characteristic pattern of front and side setbacks, low-scale horizontal built form, design and building materials.

To ensure permeable garden space for lawn and vegetation within front setbacks.

3.0 Permit requirement

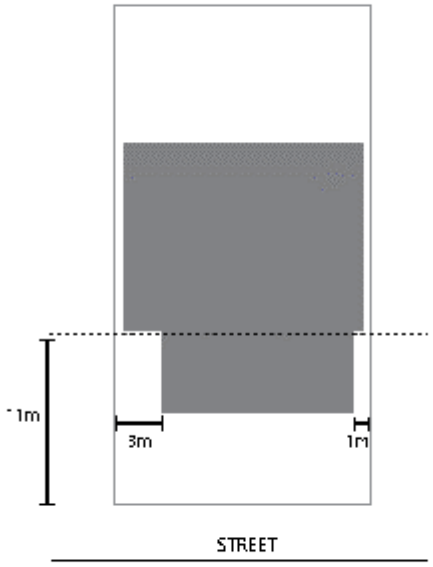
02/04/2025
VC276

A permit is required to demolish or remove a building.

4.0 Modification to Clause 54 and Clause 55 standards

08/09/2025
VC282

Standard	Modified requirement
Street setback A2-1 and B2-1	Walls of building should be set back from street at least 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. Carports and garages should be set back at least 3 metres behind the front wall of the dwelling. Side street setbacks in accordance with Standard A2-1 and B2-1 continue to apply.

Standard	Modified requirement
Side and rear setbacks A2-3 and B2-3	A new building within 11 metres of the frontage should be set back at least 1 metre from one side boundary and at least 3 metres from the other side boundary. Rear boundary setbacks in accordance with Standards A2-3 and B2-3 continue to apply. 
Front fences A2-7	A front fence within 3 metres of a street should: ▪ not exceed 0.5 metres ▪ be constructed of brick or wrought iron

5.0 Other requirements

02/04/2025
VC276

Requirement name	Requirement
Design detail	The design of new dwellings and extensions to original dwellings should respect the preferred neighbourhood character of the area, specifically in relation to: ▪ Scale and built form ▪ Roof form and pitch ▪ Width of eaves ▪ Number of storeys ▪ Materials and finishes ▪ Façade articulation and detailing ▪ Building siting ▪ Siting and design of vehicle access and car parking structures

Requirement name	Requirement
	Building design should complement the predominant double or triple-fronted built forms and similarly pitched, hipped roofs, use of light-coloured weatherboard, or orange or cream brick with decorative trim brickwork, wherever any of these characteristics are evident in the streetscape. Hard paving within the front setback should be kept to a minimum to support permeable garden landscape within the frontage.

6.0 Decision guidelines

02/04/2025
VC276

None specified

02/04/2025
VC276

SCHEDULE 4 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY

Shown on the planning scheme map as **NCO4.**

CHIFLEY AVENUE SPECIAL CHARACTER AREA, ALTONA

1.0 Statement of neighbourhood character

02/04/2025
VC276

The significance of the area is derived from the consistent streetscape of post-war brick dwellings within garden settings. Dwellings are constructed from orange or cream brick, with some examples of dark brown and decorative brickwork. Further, the spacing between the dwellings, building form, scale, materials, and roof pitch contribute to the cohesive character of the precinct. Streetscapes within the area consist of open frontages, generous front setbacks and side setbacks with generally one side for car access. Front gardens generally include lawn and exotic vegetation with often at least one canopy tree.

The preferred neighbourhood character of the Chifley Avenue Special Character Area is defined by preserving the original dwellings, and supporting new dwellings and that include and exhibit the key characteristics of the streetscape including:

- Double and triple-fronted dwellings.
- Hipped roof design.
- Use of brick building materials (orange or cream coloured brick, often with decorative trim brickwork).
- Generous front setbacks.
- Side setbacks that provide one side for car access, with car structures at the rear.
- Low, matching orange and cream brick front fences, or an absence of front fencing.
- Lawns dotted with trees and bushes, mostly exotic.

2.0 Neighbourhood character objective

02/04/2025
VC276

To encourage retention of original dwellings and building features that contribute to the preferred neighbourhood character of the area.

To ensure that new dwellings, or extensions to existing dwellings complement the characteristic pattern of front and side setbacks, horizontal built form, design and building materials.

To ensure permeable garden space for lawn and vegetation within front setbacks.

3.0 Permit requirement

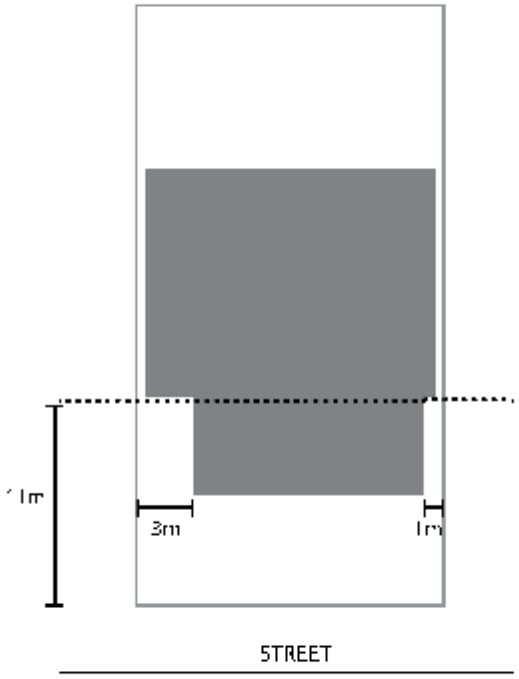
02/04/2025
VC276

A permit is required to demolish or remove a building.

4.0 Modification to Clause 54 and Clause 55 standards

08/09/2025
VC282

Standard	Modified requirement
Street setback A2-1 and B2-1	Front walls of buildings should be set back from the street at least 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. Carports and garages should be set back at least 3 metres behind the front wall of the dwelling. Side street setbacks in accordance with Standards A2-1 and B2-1 continue to apply.

Standard	Modified requirement
Side and rear setbacks A2-3 and B2-3	A new building within 11 metres of the frontage should be set back at least 1 metre from one side boundary and at least 3 metres from the other side boundary. Rear boundary setbacks in accordance with Standards A2-3 and B2-3 continue to apply. 
Front fences A2-7	A front fence within 3 metres of a street should: ▪ not exceed 0.5 metres ▪ be constructed of brick

5.0 Other requirements

02/04/2025
VC276

Requirement name	Requirement
Design detail	The design of new dwellings and extensions to original dwellings should respect the preferred neighbourhood character of the area, specifically in relation to: ▪ Scale and built form ▪ Roof form and pitch ▪ Width of eaves ▪ Number of storeys ▪ Materials and finishes

Requirement name	Requirement
	▪ Façade articulation and detailing ▪ Building siting ▪ Siting and design of vehicle access and car parking structures The design of buildings should complement the predominant double or triple-fronted built forms and similarly pitched, hipped roofs wherever any of these characteristics are evident in the streetscape. Hard paving within the front setback should be kept to a minimum to support permeable garden landscape within the frontage.

6.0 Decision guidelines

02/04/2025
VC276

None specified.

02/04/2025
VC276

SCHEDULE 5 TO CLAUSE 43.05 NEIGHBOURHOOD CHARACTER OVERLAY

Shown on the planning scheme map as **NCO5.**

INGLIS STREET SPECIAL CHARACTER AREA, WILLIAMSTOWN NORTH

1.0 Statement of neighbourhood character

02/04/2025
VC276

The significance of this area is derived from the consistent row of single fronted, weatherboard houses dating from the Victorian era. The key components that contribute to the character of the street are corrugated iron pitched, gable roofs with chimneys, verandahs and use of light coloured palettes. Small, established gardens, often with at least one canopy tree sit behind low-style picket fences. Front and side setbacks provide a consistent rhythm within the street. Setbacks from both side boundaries allow glimpses of rear garden planting to be seen from the street.

The preferred neighbourhood character of the Inglis Street Special Character Area is defined by preserving the original Victorian era dwellings, and supporting new buildings that include and exhibit the key characteristics of the streetscape including:

- Single-fronted detached weatherboard dwellings
- Corrugated iron, pitched, gabled roofs with chimneys
- Small front and side setbacks
- Verandahs
- Light coloured buildings and fences
- Picket fences
- Small established gardens, often with trees

2.0 Neighbourhood character objective

02/04/2025
VC276

To encourage retention of original dwellings and building features that contribute to the preferred neighbourhood character of the area.

To ensure that new dwellings, or extensions to existing dwellings complement the characteristic pattern of front and side setbacks and building materials.

To ensure permeable garden space for vegetation within front setbacks.

3.0 Permit requirement

02/04/2025
VC276

A permit is required to demolish or remove a building.

4.0 Modification to Clause 54 and Clause 55 standards

08/09/2025
VC282

Standard	Modified requirement
Front fences A2-7	A front fence within 3 metres of a street should: ▪ not exceed 1.2 metres ▪ be constructed of timber pickets

5.0 Other requirements

02/04/2025
VC276

Requirement name	Requirement
Design detail	The design of new dwellings and extensions to original dwellings should respect the preferred neighbourhood character of the area, specifically in relation to:

Requirement name	Requirement
	▪ Scale and built form ▪ Roof form and pitch ▪ Width of eaves ▪ Number of storeys ▪ Materials and finishes ▪ Façade articulation and detailing ▪ Building siting ▪ Siting and design of vehicle access and car parking structures The design of buildings should complement the features and characteristics of dwellings in the street, being the single-fronted dwelling design, verandahs, pitched and gabled roof forms, light coloured weatherboard and metal roofs. Hard paving within the front setback should be kept to a minimum to support permeable garden landscape within the frontage.

6.0 Decision guidelines

02/04/2025
VC276

None specified.

44 LAND MANAGEMENT OVERLAYS

19/01/2006
VC37

44.04 LAND SUBJECT TO INUNDATION OVERLAY

06/09/2021
VC171

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

Purpose

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

To identify flood prone land in a riverine or coastal area affected by the 1 in 100 (1 per cent Annual Exceedance Probability) year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, responds to the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To minimise the potential flood risk to life, health and safety associated with development.

To reflect a declaration under Division 4 of Part 10 of the *Water Act, 1989*.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

To ensure that development maintains or improves river, marine, coastal and wetland health, waterway protection and floodplain health.

44.04-1 Land subject to inundation objectives and statement of risk

24/01/2020
VC160

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

44.04-2 Buildings and works

14/12/2023
VC253

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level.
- A disabled access ramp.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To roadworks or bicycle paths and trails constructed or carried out by or on behalf of the Head, Transport for Victoria, to the satisfaction of the relevant floodplain management authority.

- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- To post and wire and post and rail fencing.

44.04-3 Subdivision

31/07/2018
VC148

A permit is required to subdivide land.

44.04-4 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

44.04-5 Local floodplain development plan

31/07/2018
VC148

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

44.04-6 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

44.04-7 Referral of applications

31/07/2018
VC148

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

44.04-8 Decision guidelines

06/09/2021
VC171

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- Alternative design or flood proofing responses.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:

  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - Tidal patterns.
  - Coastal inundation and erosion.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river, marine and coastal health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality, estuaries and sites of scientific significance.
- Any other matters specified in a schedule to this overlay.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

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

1.0 Land subject to inundation objectives to be achieved

10/09/2021
C126hbay

None specified.

2.0 Statement of risk

10/09/2021
C126hbay

None specified.

3.0 Permit requirement

10/09/2021
C126hbay

None specified.

4.0 Application requirements

10/09/2021
C126hbay

None specified.

5.0 Decision guidelines

10/09/2021
C126hbay

None specified.

44.05 SPECIAL BUILDING OVERLAY

01/07/2021
VC203

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

Purpose

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

To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality and waterways as natural resources by managing urban stormwater, protecting water supply catchment areas, and managing saline discharges to minimise the risks to the environmental quality of water and groundwater.

44.05-1 Flooding management objectives and statement of risk

31/07/2018
VC148

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

44.05-2 Buildings and works

16/10/2025
VC288

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:

  - 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

44.05-3 Subdivision

16/10/2025
VC288

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: ▪ 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.	Clause 59.08
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 59.08

44.05-4 Application requirements

31/07/2018
VC148

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.

- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

44.05-5 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

44.05-6 Referral of applications

31/07/2018
VC148

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

44.05-7 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

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

1.0 Flooding management objectives to be achieved

10/09/2021
C126hbay

None specified.

2.0 Statement of risk

10/09/2021
C126hbay

None specified.

3.0 Permit requirement

10/09/2021
C126hbay

None specified.

4.0 Application requirements

10/09/2021
C126hbay

None specified.

5.0 Decision guidelines

10/09/2021
C126hbay

None specified.

45 OTHER OVERLAYS

19/01/2006
VC37

45.01 PUBLIC ACQUISITION OVERLAY

31/07/2018
VC148

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

Purpose

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

To identify land which is proposed to be acquired by a Minister, public authority or municipal council.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

45.01-1 Permit required

14/12/2023
VC253

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works, including:
  - A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling or a small second dwelling with a finished floor level not more than 800mm above ground level.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

45.01-2 Exemption from notice and review

31/07/2018
VC148

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

45.01-3 Referral of applications

28/10/2013
VC102

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

45.01-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material or a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

45.01-5 Land not to be spoiled or wasted

19/01/2006
VC37

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

45.01-6 Reservation for public purpose

19/01/2006
VC37

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the *Planning and Environment Act 1987*, the *Land Acquisition and Compensation Act 1986* or any other act.

45.01-7 Acquiring authority

28/10/2013
VC102

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

1.0 Public acquisition

10/09/2021
C126hbay

PS map ref	Acquiring Authority	Purpose of acquisition
PAO1	VicRoads	Road
PAO2	Hobsons Bay City Council	Municipal purposes

45.03 ENVIRONMENTAL AUDIT OVERLAY

01/07/2021
VC203

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

Purpose

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

To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Application

This provision applies to land in an Environmental Audit Overlay and applies whether or not a permit is required.

45.03-1 Requirement

04/05/2022
VC210

Before a sensitive use (residential use, child care centre, kindergarten, pre-school centre, primary school, even if ancillary to another use), children's playground or secondary school commences or before the construction or carrying out of buildings and works in association with these uses commences:

- A preliminary risk screen assessment statement in accordance with the *Environment Protection Act 2017* must be issued stating that an environmental audit is not required for the use or the proposed use; or
- An environmental audit statement under Part 8.3 of the *Environment Protection Act 2017* must be issued stating that the land is suitable for the use or proposed use; or
- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970; or
- A statement of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970 stating that the environmental conditions of the land are suitable for the use or proposed use.

Exemption from requirement

The requirement for a preliminary risk screen assessment statement, an environmental audit statement, a certificate of environmental audit or a statement of environmental audit in this provision does not apply to the construction or carrying out of buildings and works if:

- The buildings and works are associated with an existing sensitive use, secondary school or children’s playground, included in Clause 62.02-1 or 62.02-2, and the soil is not disturbed;
- The buildings and works are required by the Environment Protection Authority or an environmental auditor appointed under the *Environment Protection Act 2017* to make the site suitable for use; or
- The buildings and works are reasonably required by environmental auditor appointed under the *Environment Protection Act 2017* or the *Environment Protection Act 1970* to undertake a preliminary risk screen assessment or environmental audit.

45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

31/07/2018
VC148

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

Purpose

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

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

45.06-1 Development contributions plan

19/01/2006
VC37

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

45.06-2 Preparation of a development contributions plan

19/01/2006
VC37

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.

09/11/2017
GC75

SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO1**.

FORMER PORT PHILLIP WOOLLEN MILL DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

21/07/2016
C110

Land shown as DCPO1 on Map 19DCPO and referred to as the former Port Phillip Woollen Mills, Williamstown.

2.0 Summary of costs

21/07/2016
C110

A summary of all costs is shown in Table 1 below.

Table 1 – Summary of DCP costs

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development $	Proportion of cost attributable to development %
Community Facilities	$13,790,000	2015-2025	$719,968	5.2%
Drainage	$3,900,655	2015-2025	$1,104,144	28.3%
Roads	$500,000	2015-2025	$9,680	1.9%
Public Realm	$1,105,000	2015-2025	$131,120	11.9%
Planning	$10,000	2015-2016	$10,000	100%
TOTAL	$19,305,655	2015-2025	$1,974,912	10.2%

3.0 Summary of contributions

09/11/2017
GC75

The development contributions that apply are shown in Table 2.

The development contribution rates have been calculated for prices at 1 July 2015 and are expressed in 2015 dollar values and exclude GST. The development contributions rates are adjusted annually on 1 July each year to reflect movements in the consumer price index (CPI).

Table 2: Levies payable per dwelling

FACILITY	LEVIES PAYABLE BY THE DEVELOPMENT					
	Development Infrastructure		Community infrastructure		All infrastructure	
	residential	non-residential	residential	non-residential	residential	non-residential
Community facilities	-	-	$912.56	-	$912.56	-
Drainage	$1,380.18	-	-	-	$1,380.18	-
Roads/paths	$12.10	-	-	-	$12.10	-
Public realm	$163.90	-	-	-	$163.90	-
Planning	$12.50	-	-	-	$12.50	-
TOTAL	$1,568.68		$912.56		**$2,481.24**	

Levies payable by the development is specified per dwelling.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the *Planning and Environment Act 1987* sets the maximum CIL amount that can be collected under an approved DCP

If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0 Land or development excluded from development contributions plan

15/01/2024
VC249

- Exemptions from payment of development contributions apply in the following circumstances:
- The development of land for a small second dwelling.
- Non-residential use and development.
- The carrying out of building or works associated with an existing dwelling including the replacement of a dwelling.
- Reinstatement of a building which has been unintentionally damaged or destroyed. The exemption relates only to the extent that the number of dwellings to be replaced is not greater than the damaged or destroyed building.

Note: This schedule sets out a summary of the costs and contributions prescribed in the Former Port Phillip Woollen Mill Development Contributions Plan 2015-25. Refer to the incorporated development contributions plan for full details.

24/09/2018
C88

SCHEDULE 2 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO2**.

ALTONA NORTH DEVELOPMENT CONTRIBUTIONS PLAN

1.0 Area covered by this development contributions plan

24/09/2018
C88

The land is generally bordered by Kyle Road, Blackshaws Road, New Street, the West Gate Freeway and Brooklyn Terminal Sub-station, in Altona North and South Kingsville.

2.0 Summary of costs

24/09/2018
C88

Facility	Total cost $	Time of provision	Actual cost contribution attributable to development $	Proportion of cost attributable to development %
Road Projects	$27,991,536	Refer to details in the Altona North Development Contributions Plan.	$27,991,536	100.0%
Intersection Projects	$13,619,697	Refer to details in the Altona North Development Contributions Plan.	$13,619,697	100.0%
Shared Path & Amenity Projects	$282,730	Refer to details in the Altona North Development Contributions Plan.	$282,730	100.0%
Community Building Projects	$6,526,855	Refer to details in the Altona North Development Contributions Plan.	$6,526,855	100.0%
Sporting Reserve Projects	$5,671,333	Refer to details in the Altona North Development Contributions Plan.	$5,671,333	100.0%
TOTAL	**$54,092,151**		**$54,092,151**	**100.0%**

3.0 Summary of contributions

24/09/2018
C88

Facility	Development infrastructure MCA 1 (Residential) per dwelling	Development infrastructure MCA 2 (Retail) per m^2 gross leasable floor space	Development infrastructure MCA 2 (Commercial) per m^2 gross leasable floor space	Community infrastructure Residential, per dwelling
Road Projects	$6,994.39	$867.30	$223.82	N/A
Intersection Projects	$3,403.22	$422.00	$108.90	N/A
Shared Path & Amenity Projects	$70.65	$8.76	$2.26	N/A
Community Building Projects	$2,175.62	$0.00	$0.00	N/A
Sporting Reserve Projects	$1,170.40	$0.00	$0.00	$720.05
TOTAL	**$13,814.27**	**$1,298.06**	**$334.98**	**$720.05**

Indexation

Capital costs of infrastructure items (except land), will be indexed quarterly as follows:

- Roads and intersections will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Road and Bridge Construction Index, Victoria.
- All other infrastructure items will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Non-Residential Construction Index, Victoria.

4.0 Land or development excluded from development contributions plan

15/01/2024
VC249

The extension of a building or works associated with an established use in the area at the date of approval, providing the extension results in no more than a 50% increase in the floor area of the building or works as compared to the floor area at the date of approval.

Development of land for a non-government school. In this provision, "non-government school" has the same meaning as in section 1.1.3 of the *Education and Training Reform Act 2006*.

The development of land for a small second dwelling is exempt from the requirement to pay a development infrastructure levy and a community infrastructure levy.

Development of land by the municipal council for the area.

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.

45.12 SPECIFIC CONTROLS OVERLAY

04/05/2022
VC210

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

Purpose

To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

45.12-1 Use or development

31/07/2018
VC148

Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

45.12-2 Expiry of a specific control

31/07/2018
VC148

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

24/06/2021
C127hbay

SCHEDULE TO CLAUSE 45.12 SPECIFIC CONTROLS OVERLAY

1.0 Specific controls

24/06/2021
C127hbay

PS Map Ref	Name of incorporated document
SCO1	Medical Centre and Pharmacy at 196 – 200 Hall Street, Spotswood, July 2010
SCO2	Construction and extension of one dwelling on a lot between 300m^2 and 500m^2, 1 May 2014

50 PARTICULAR PROVISIONS

19/01/2006
VC37

This section sets out Particular Provisions which apply to the matters specified.

51 PROVISIONS THAT APPLY ONLY TO A SPECIFIED AREA

31/07/2018
VC148

51.01 SPECIFIC SITES AND EXCLUSIONS

31/07/2018
VC148

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

51.01-1 Use or development

31/07/2018
VC148

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

51.01-2 Expiry of a specific control

31/07/2018
VC148

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.

31/07/2018
VC148

SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

1.0

24/06/2021
C127hbay

Specific sites and exclusions

Address of land	Title of incorporated document
Land in the Geelong and Melbourne statutory railway line between Laverton Junction and Laverton Station.	Laverton Rail Upgrade Project, September 2008
Land required for the Outer Suburban Arterial Roads Program – Western Package as shown on the project area maps in the incorporated document.	Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017
Land required for the Kororoit Creek Road, Williamstown North Level Crossing Removal Project as shown on the project area maps in the incorporated document.	Kororoit Creek Road, Williamstown North Level Crossing Removal Project Incorporated Document, June 2017.
The land identified in clause 3 of the West Gate Tunnel Project Incorporated Document, December 2017.	West Gate Tunnel Project Incorporated Document, December 2017.

51.02 METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

31/07/2018
VC148

Purpose

To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.

To protect productive agricultural land from incompatible uses and development.

To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.

To encourage the location of urban activities in urban areas.

To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.

To provide deeming provisions for metropolitan green wedge land.

51.02-1 Application

25/02/2025
VC257

These provisions apply to land in Metropolitan Melbourne that is outside an Urban Growth Boundary as shown on a planning scheme map in this scheme, unless any of the following apply:

- The land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone, Industrial 1 Zone, Industrial 2 Zone, Industrial 3 Zone, Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Public Use Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone, Transport Zone or Urban Floodway Zone.
- The land is identified in the schedule to this clause.

51.02-2 Use of land

01/01/2024
VC250

A use listed in the table to this clause is prohibited. This does not apply if a condition opposite the use is met.

Table to Clause 51.02-2

Use	Condition
Accommodation (other than Camping and caravan park, Dwelling, Group accommodation, Host farm, Residential building and Small second dwelling)	
Cinema based entertainment facility	
Display home centre	
Dwelling	Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.
Education centre (other than Primary school and Secondary school)	
Freeway service centre	

Use	Condition
Freezing and cool storage	The goods stored must be agricultural produce, or products used in agriculture.
Function centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Restaurant, the total number of patrons present at any time must not exceed 150.
Funeral parlour	
Group accommodation	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 40 dwellings.
Hospital	
Indoor recreation facility	Must be for equestrian based leisure, recreation or sport.
Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre, and Rural industry)	
Major sports and recreation facility	Must be for outdoor leisure, recreation or sport.
Manufacturing sales	Must be an incidental part of Rural industry.
Materials recycling	Must be used in conjunction with Refuse disposal or Transfer station.
Motor racing track **Nightclub** **Office**	
Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)	Must not be used for more than 10 days in a calendar year.
Research and development centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.
Research centre	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.

Use	Condition
Residential building (other than Residential hotel)	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence.
Residential hotel	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 80 bedrooms.
Restaurant	Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.
Restricted place of assembly	Must not be used for more than 30 days in a calendar year.
Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant) **Service station**	
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.
Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)	
Wind energy facility	Must not be on land in a Rural Conservation Zone.

51.02-3 Subdivision

31/07/2018
VC148

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

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

51.02-4 Existing uses

31/07/2018
VC148

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.

51.02-5 Transitional arrangements for permit applications

31/07/2018
VC148

The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or this clause would apply to such an application. This does not apply to a permit application to subdivide land.

51.02-6 Deeming provisions for land outside an urban growth boundary

31/07/2018
VC148

Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone.

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 51.02 METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

1.0 Land where core planning provisions do not apply

10/09/2021
C126hbay

Land
None specified

51.05 WILLIAMSTOWN SHIPYARD SITE STRATEGY PLAN

31/07/2018
VC148

Scope

To ensure consistency between this planning scheme and the Williamstown Shipyard Site Strategy Plan pursuant to the requirements of Part 3D of the *Planning and Environment Act 1987*.

52 PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT

31/07/2018
VC148

52.01 COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

05/11/2020
VC191

Purpose

To facilitate the rectification of combustible cladding on buildings.

52.01-1 Permit exemption

05/11/2020
VC191

Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*.
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act.

52.01-2 Exemption from notice and review

05/11/2020
VC191

An application to amend a permit to allow the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the *Building Act 1993*; or
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act,

is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.02 EASEMENTS, RESTRICTIONS AND RESERVES

04/02/2026
VC265

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.

31/01/2019
C116Pt1

SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

1.0

10/10/2019
C116pt2hbay

Under Section 23 of the Subdivision Act 1988

Land	Easement or restriction	Requirement
Lots 196 and 197 on PS011502 and further being described in Certificate of Title Volume 05285 Folio 848	Covenant 1319212	The whole of the restriction is authorised for removal
Lot 198 on PS011502 and further being described in Certificate of Title Volume 08165 Folio 105	Covenant 1904468	The whole of the restriction is authorised for removal
Lots 199 and 200 on PS011502 and further being described in Certificate of Title Volume 06372 Folio 208	Covenant 1763961	The whole of the restriction is authorised for removal
Lot 201 on PS011502 and further being described in Certificate of Title Volume 05647 Folio 212	Covenant 1453022	The whole of the restriction is authorised for removal
Lot 202 on PS011502 and further being described in Certificate of Title Volume 05683 Folio 510	Covenant 1463040	The whole of the restriction is authorised for removal
Lot 203 on PS011502 and further being described in Certificate of Title Volume 05806 Folio 085	Covenant 1508823	The whole of the restriction is authorised for removal
Lots 205 and 206 on PS011502 and further being described in Certificate of Title Volume 07194 Folio 603	Covenant 2184914	The whole of the restriction is authorised for removal
Lot 209 on PS011502 and further being described in Certificate of Title Volume 05683 Folio 508	Covenant 1461864	The whole of the restriction is authorised for removal
Lot 210 on PS011502 and further being described in Certificate of Title Volume 05683 Folio 509	Covenant 1461864	The whole of the restriction is authorised for removal
Lot 211 on PS011502 and further being described in Certificate of Title Volume 08220 Folio 850	Covenant 1923222	The whole of the restriction is authorised for removal
Lots 212 and 213 on PS011502 and further being described in Certificate of Title Volume 06778 Folio 568	Covenant 1944146	The whole of the restriction is authorised for removal
Lot 214 on PS011502 and further being described in Certificate of Title Volume 06712 Folio 338	Covenant 1923223	The whole of the restriction is authorised for removal
Lot 215 on PS011502 and further being described in Certificate of Title Volume 05893 Folio 587	Covenant 1546524	The whole of the restriction is authorised for removal

Land	Easement or restriction	Requirement
Lot 216 on PS011502 and further being described in Certificate of Title Volume 05479 Folio 777	Covenant 1389998	The whole of the restriction is authorised for removal
Lot 217 on PS011502 and further being described in Certificate of Title Volume 07623 Folio 011	Covenant 2428949	The whole of the restriction is authorised for removal
Lot 220 on PS011502 and further being described in Certificate of Title Volume 05900 Folio 805	Covenant 1549148	The whole of the restriction is authorised for removal
Lot 221 on PS011502 and further being described in Certificate of Title Volume 06099 Folio 638	Covenant 1640973	The whole of the restriction is authorised for removal
Lot 222 on PS011502 and further being described in Certificate of Title Volume 07156 Folio 177	Covenant 2140931	The whole of the restriction is authorised for removal
Lot 223 on PS011502 and further being described in Certificate of Title Volume 07156 Folio 178	Covenant 2143296	The whole of the restriction is authorised for removal
Lots 227, 228, 229 on PS011502 and further being described in Certificate of Title Volume 05772 Folio 234	Covenant 1495473	The whole of the restriction is authorised for removal
Lots 82, 83 on LP006394 and further being described in Certificate of Title Volume 08046 Folio 558	Covenant 2642396	The whole of the restriction is authorised for removal

2.0 Under Section 24A of the Subdivision Act 1988

31/01/2019
C116Pt1

Land	Person	Action
None specified		

3.0 Under Section 36 of the Subdivision Act 1988

31/01/2019
C116Pt1

Land	Easement or right of way	Requirement
None specified		

52.03 STATE RAIL PROJECTS

25/11/2025
VC298

Purpose

To facilitate the delivery of projects carried out by or on behalf of VIDA Rail.

52.03-1 Application

25/11/2025
VC298

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.

52.03-2 Exemption from planning scheme requirements

25/11/2025
VC298

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.

52.03-3 Use and development requirements

20/01/2022
VC205

The use and development of land must be undertaken in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be undertaken to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2 or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of acquisition is for a road, must be undertaken to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be undertaken to the satisfaction of the relevant acquiring authority.

52.03-4 Consultation requirement

31/01/2020
VC170

Prior to the commencement of the use or development:

- Public consultation, and consultation with the relevant municipal council, must be undertaken to the satisfaction of the Minister for Planning.
- A report that summarises the feedback provided during consultation and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

52.03-5 Project boundary requirement

31/01/2020
VC170

Prior to the commencement of the use or development, a plan that shows the boundary of the land on which the use or development will be undertaken must be prepared to the satisfaction of the Minister for Planning.

52.03-6 Other pre-commencement requirements

04/05/2022
VC210

The following requirements may be satisfied for separate components or stages of a project but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.

The following requirements may be varied or waived by the Minister for Planning.

Prior to the commencement of the use or development (other than a preparatory use or development), the following plans and documents must be prepared to the satisfaction of the Minister for Planning:

- An environmental management framework, prepared in consultation with each relevant municipal council, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including auditing, to ensure environmental and amenity effects are reduced and managed during construction.
  - A summary of how each relevant municipal council, the community and other stakeholders will be engaged during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the land is in the Heritage Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2:
  - A report that addresses the impact of that development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of that development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2, a report that addresses the impact of the development on any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

Prior to the commencement of the use of any new open space, an environmental assessment (or similar) that demonstrates that the environmental conditions of the land are suitable for that use must be undertaken to the satisfaction of the Minister for Planning.

52.03-7 Native vegetation requirements

04/02/2026
VC265

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 Preparatory use and development

31/01/2020
VC170

For the purposes of Clause 52.03, a preparatory use or development is a use or development required to prepare for the construction of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.03-2.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, and overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be undertaken in compliance with:
  - a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.

- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of Clause 52.03, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.04 TRANSITIONAL PROVISIONS FOR A DEPENDENT PERSONS UNIT

14/12/2023
VC253

52.04-1 Purpose

28/03/2024
VC259

To provide transitional provisions for the use or development of land for a dependent person's unit.

52.04-2 Application

28/03/2024
VC259

This clause applies to the use and development of land for a dependent person's unit.

For the purposes of clause 52.04 and any reference to a dependent person's unit in this planning scheme, a dependent person's unit means:

A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.

52.04-3 Exemption from planning scheme requirements

28/03/2024
VC259

Any requirement of this planning scheme to obtain a permit for the use of land or the construction or carrying out of buildings and works, or any provision of this planning scheme that prohibits the use of land or the construction or carrying out of buildings and works, requires the use of land or the construction or carrying out of buildings and works to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a dependent person's unit, if the requirements of clause 52.04 are met.

The requirements of clause 52.04 are met if any of the following apply:

- No permit is required under this clause, and any requirement or condition of this clause is met.
- A permit is required under this clause, and a permit has been issued.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.04-4 Operation of use of land requirements

03/03/2025
VC266

The following requirements apply to the use of land for a dependent person's unit, as specified in clause 52.04-5.

Table 1 zones

The use of land for a dependent person's unit in a zone listed in Table 1 does not require a permit. Any condition opposite the zone listed in Table 1 must be met. If the condition is not met, the use of land for a dependent person's unit requires a permit under this clause unless the zone is specifically included in Table 3 as a zone that does not meet the Table 1 condition.

Table 2 zones

The use of land for a dependent person's unit in a zone listed in Table 2 requires a permit under this clause. Any condition opposite the zone must be met. If the condition is not met, the use of land for a dependent person's unit is prohibited.

Table 3 zones

The use of land for a dependent person's unit in a zone listed in Table 3 is prohibited.

52.04-5 Use of land requirements

25/02/2025
VC257

Table 1 - Permit not required

Zone	Condition
Low Density Residential Zone	Must be the only dependent person's unit on the lot.
Township Zone	Must meet the requirements of clause 52.04-7.
Mixed Use Zone **Residential Growth Zone** **General Residential Zone** **Neighbourhood Residential Zone** **Housing Choice and Transport Zone**	Must be the only dependent person's unit on the lot.
Rural Living Zone	Must be the only dependent person's unit on the lot.
Rural Activity Zone	Must meet the requirements of clause 52.04-8. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.
Farming Zone	Must be the only dependent person's unit on the lot. 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 *Environment Effects Act 1978*. Must be located more than 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.
Commercial 1 Zone	Any frontage at ground floor level must not exceed 2 metres
Public Use Zone	The use must be for the purpose described in the table to clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.
Public Park and Recreation Zone	Must be either of the following:

Zone	Condition
	▪ A use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *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*. ▪ A use specified in an Incorporated plan in a schedule to clause 36.02.
Public Conservation and Resource Zone	Must be a use conducted by or on behalf of a public land manager, Parks Victoria or the Great Ocean Road Coast and Parks Authority, under the relevant provisions of the *Local Government Act 2020*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Safety Act 2010*, the *Port Management Act 1995* or the *Crown Land (Reserves) Act 1978*.
Urban Growth Zone	Must be the only dependent person's unit on the lot. Must meet the requirements of clause 52.04-8.

Table 2 - Permit required

Zone	Condition
Low Density Residential Zone **Township Zone**	Must meet the requirements of clause 52.04-7.
Green Wedge Zone **Green Wedge A Zone** **Rural Conservation Zone**	Must be the only dependent person's unit on the lot. Must meet the requirements of clause 52.04-8.
Rural Living Zone **Farming Zone** **Rural Activity Zone**	Must meet the requirements of clause 52.04-8.
Transport Zone	The use must be for a transport purpose and carried out by or on behalf of a relevant transport manager.
Urban Growth Zone	Must meet the requirements of clause 52.04-8.

Table 3 - Prohibited

Zone
Industrial 1 Zone
Industrial 2 Zone
Industrial 3 Zone
Commercial 2 Zone
Commercial 3 Zone
Port Zone
Public Conservation and Resource Zone – If the table 1 condition is not met
Urban Floodway Zone

52.04-6 Use of land requirements in a specified special purpose zone

28/02/2025
VC274

If land is in a Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct Zone, the permit requirement in that zone for use of land applies as specified in the schedule to the zone.

If dependent person's unit is not specified in a schedule to the zone, the use of land for a dependent person's unit is subject to the use of land requirements for 'Accommodation'.

52.04-7 Use of land requirements in a Low Density Residential Zone and a Township Zone

28/03/2024
VC259

A lot used for a dependent person's unit in a Low Density Residential Zone and a Township Zone must meet the following requirements:

- Each dependent person's unit must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dependent person's unit must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- Each dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity.
- Each dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy supply.

52.04-8 Use of land requirements in a rural zone and an Urban Growth Zone

28/03/2024
VC259

A lot used for a dependent person's unit in a Rural Living Zone, Green Wedge Zone, Green Wedge A Zone, Rural Conservation Zone, Farming Zone, Rural Activity Zone and Urban Growth Zone must meet the following requirements:

- Access to the dependent person's unit must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- Each dependent person's unit must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.

- The dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.

52.04-9 Use of land requirements in an Airport Environs Overlay and Melbourne Airport Environs Overlay

28/03/2024
VC259

A permit is required under this clause to use land in an Airport Environs Overlay or a Melbourne Airport Environs Overlay for a dependent person's unit.

Land in an Airport Environs Overlay or a Melbourne Airport Environs Overlay must not be used for:

- More than one dependent person's unit.
- A dependent person's unit if there is an existing small second dwelling on the lot.
- A dependent person's unit if the size of the lot is less than 600 square metres.

52.04-10 Buildings and works requirements in a specified overlay

03/03/2025
VC266

A permit is required under the following overlays to construct a building or construct or carry out works for a dependent person's unit:

- Erosion Management Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Floodway Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Land Subject to Inundation Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Special Building Overlay. This does not apply if a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
- Bushfire Management Overlay. This does not apply to any of the following:
  - If a schedule to the overlay specifically states that a permit is not required for a dependent person's unit.
  - An alteration or extension to an existing building used for a dependent person's unit that is less than 50 percent of the gross floor area of the existing building.

An application under a Bushfire Management Overlay must meet the requirements of clause 53.02-4, unless the application meets all of the requirements specified in a schedule to clause 44.06.

Any other requirement for a dependent person's unit specified in a schedule to an overlay applies.

52.04-11 Decision guidelines

28/03/2024
VC259

Before deciding on an application for a permit under clauses 52.04-5, 52.04-6, 52.04-9 or 52.04-10 the responsible authority must consider the decision guidelines of clause 65, including the decision guidelines of the zone or overlay, as appropriate.

52.04-12 Expiry

23/03/2026
VC304

Clauses 52.04-1 to 52.04-11 inclusive do not have effect after 28 March 2027.

52.04-13 Transitional provisions

23/03/2026
VC304

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.

52.05 SIGNS

31/07/2018
VC148

Purpose

To regulate the development of land for signs and associated structures.

To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.

To ensure signs do not contribute to excessive visual clutter or visual disorder.

To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

52.05-1 Application

31/07/2018
VC148

This clause applies to the development of land for signs.

52.05-2 Requirements

28/02/2025
VC274

Sign categories

Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.

Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1

A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.

Some overlays require a permit for Section 1 signs.

Section 2

A permit is required to construct or put up for display a sign in Section 2.

This does not apply to a sign specified in Clause 52.05-10.

All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3

A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application	Information requirements and decision guidelines
Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone, Activity Centre Zone or Precinct Zone if: ▪ The sign is not within 30 metres of land (not a road) which is in a residential zone.	Clause 59.09

Class of application	Information requirements and decision guidelines
▪ The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign. ▪ The display area of the sign does not exceed 10 square metres.	

52.05-3 Referral of applications

31/07/2018
VC148

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

52.05-4 Expiry of permits

27/10/2025
VC294

A permit for a major promotion sign expires on the date specified in the permit in accordance with clause 52.05-9. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

A permit for a promotion sign that promotes goods, services, an event or any other matter not provided, undertaken or sold on the land or in the building on which the sign is sited expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

52.05-5 Existing signs

31/07/2018
VC148

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

52.05-6 Application requirements

20/01/2022
VC205

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

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.

- The location and form of existing signage on abutting properties and in the locality.
- The location of closest traffic control signs.
- Identification of any view lines or vistas that could be affected by the proposed sign.

Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Transport Zone 2, Transport Zone 3, a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

52.05-7 Exemption from notice and review

31/07/2018
VC148

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

52.05-8 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
  - The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
  - The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
  - The consistency with any identifiable outdoor advertising theme in the area.
- Impacts on views and vistas:
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.
- The relationship to the streetscape, setting or landscape:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.
- The relationship to the site and building:
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.
- The impact of structures associated with the sign:
  - The extent to which associated structures integrate with the sign.
  - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.
- The impact of any illumination:
  - The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporally or in terms of intensity.
- The impact of any logo box associated with the sign:
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.

  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

- The need for identification and the opportunities for adequate identification on the site or locality.
- The impact on road safety. A sign is a safety hazard if the sign:
  - Obstructs a driver's line of sight at an intersection, curve or point of egress from an adjacent property.
  - Obstructs a driver's view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
  - Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
  - Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
  - Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
  - Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
  - Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
  - Is within 100 metres of a rural railway crossing.
  - Has insufficient clearance from vehicles on the carriageway.
  - Could mislead drivers or be mistaken as an instruction to drivers.

Major promotion signs

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.
- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.

- In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.

52.05-9 Mandatory conditions

31/07/2018
VC148

All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.
- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

52.05-10 Signs not requiring a permit

27/10/2025
VC294

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign that provides information, warning or direction about weather conditions, public safety, a natural event or an emergency displayed by or with the agreement of a government department, public authority or municipal council.

- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign's display cannot be seen from nearby land.
- A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.
- A sign inside a building that cannot generally be seen outside.
- A sign with a display area not exceeding 2 square metres that provides information about a building permit or workplace health and safety. Only one sign may be displayed unless:
  - the land is on a corner allotment, in which case one sign may be erected on each street frontage
  - the land has a street frontage of more than 150 metres, in which case one sign may be erected every 150 metres of each street frontage, with a total of not more than 4 signs.

  The sign must be removed when the work is completed.
- A sign on a hoarding, building shrouding or fence associated with a development that is, or is proposed to be, under construction on the site. The total display area on each street frontage must not exceed 25 percent of the combined area of the hoarding, building shrouding or fence on that street frontage.

  The sign must not be:
  - animated
  - electronic
  - internally illuminated or floodlit
  - displayed for more than two years.

  The sign must be removed when the construction work is complete.
- A flag sign at an Alpine resort (as defined by the *Alpine Resorts Management Act 1997*) that gives direction or information about wayfinding, events, safety and snow sport or mountain bike use, if it is displayed at the direction of Alpine Resorts Victoria. A sign may include a business logo and must only be displayed on a temporary basis.
- A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.
- A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

- A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.
- A sign with a display area not exceeding 10 square metres publicising the sale or letting of the land on which it is displayed. A permit may be granted for:
  - The display area to exceed 10 square metres if the sign concerns more than 20 lots.
  - The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
  - The sign to be displayed longer than 7 days after the sale date.
- A sign publicising or providing information about Victoria's container deposit scheme under the *Circular Economy (Waste and Recycling) Act 2021*. The sign must be attached to an automated collection point, or a building used for a Container deposit scheme centre. The display area for the sign must not exceed 8 square metres. The sign must not be an animated, floodlit or internally illuminated sign.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the *Flags Act 1953*.

52.05-11 Category 1 - Commercial areas

03/02/2022
VC199

Minimum limitation

Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign **Business identification sign** **Home based business sign** **Promotion sign**	The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.
Direction sign	None specified
Internally illuminated sign	The total display area to each premises must not exceed 1.5 sqm. No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.

Section 2 - Permit required

Sign	Condition
Any sign not in Section 1	None specified

Section 3 - Prohibited

Sign
Nil

52.05-12 Category 2 - Office and industrial

27/10/2025
VC294

Low limitation

Purpose

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign **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

52.05-13 Category 3 - High amenity areas

03/02/2022
VC199

Medium limitation

Purpose

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Above-verandah sign **Business identification sign**	None specified
Electronic sign	The display area must not exceed 3 sqm.
Floodlit sign	None specified
High-wall sign	Must be a business logo or street number.
Internally illuminated sign **Pole sign**	None specified
Promotion sign	The display area must not exceed 3 sqm.
Reflective sign	None specified

Section 3 - Prohibited

Sign
Any sign not in Sections 1 or 2

52.05-14 Category 4 - Sensitive areas

17/10/2023
VC241

Maximum limitation

Purpose

To provide for unobtrusive signs in areas requiring strong amenity control.

Section 1 - Permit not required

Sign	Condition
Bed and breakfast sign	Only one to each premises.
Home based business sign	The display area must not exceed 0.2 sqm.
Direction sign	None specified

Section 2 - Permit required

Sign	Condition
Business identification sign	The total display area to each premises must not exceed 3 sqm. This does not apply to a Business identification sign on land used for a Freeway service centre or Service station.
Floodlit sign	Must not be a Promotion sign on land used for an Open sports ground.
Above-verandah sign **High-wall sign** **Internally illuminated sign** **Pole sign**	Must be on land used for a Freeway service centre or Service station.
Electronic sign	Must be on land used for a Freeway service centre or Service station. 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

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 52.05 SIGNS

1.0

10/09/2021
C126hbay

Exemption from notice and review

Land	Condition
None specified	

52.06 CAR PARKING

31/07/2018
VC148

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

52.06-1 Application

18/12/2025
VC277

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 Provision of car parking spaces

18/12/2025
VC277

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.

52.06-3 Permit requirement

18/12/2025
VC277

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.

52.06-4 Exemption from notice and review

09/06/2026
VC311

An application under clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under clause 52.06-3; or
- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

52.06-5 Car parking requirement calculation

09/06/2026
VC311

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).

A schedule to the Parking Overlay may also specify a minimum and/or maximum car parking requirement that applies to a use based on the land category identified in the CPR maps.

A schedule to the Parking Overlay may specify a car parking requirement for a use by reference to a requirement specified for that use in Table 1.

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 or a schedule to a Parking Overlay 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 or a schedule to the Parking Overlay 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 or a schedule to the Parking Overlay 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 or schedule to the Parking Overlay 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 or a schedule to the Parking Overlay 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.

A minimum car parking requirement specified in Table 1 does not apply if a schedule to the Parking Overlay specifies a minimum car parking requirement for that use in the same land category.

A maximum car parking requirement specified in Table 1 does not apply if a schedule to the Parking Overlay specifies a maximum car parking requirement for that use in the same land category.

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 included in this planning scheme before the commencement of Amendment VC311 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
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

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
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
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

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Place of assembly - other than specified in this table	To each patron	0.3	0.15	0 - minimum 0.15 - maximum	0.08
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

Land use	Measure	Category 1 (Minimum Requirement)	Category 2 (Minimum Requirement)	Category 3 (Minimum and Maximum Requirement)	Category 4 (Maximum Requirement)
Shop - other than specified in this table	To each 100 square metres of leasable floor area	4	2	0 - minimum 2 - maximum	1
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 Number of car parking spaces required for other uses

16/01/2018
VC142

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

52.06-7 Application requirements and decision guidelines for permit applications

18/12/2025
VC277

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in 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.
- 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 Requirement for a car parking plan

18/12/2025
VC277

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 Design standards for car parking

18/12/2025
VC277

Plans prepared in accordance with clause 52.06-8 must meet the design standards of clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or Transport Zone 3.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Transport Zone 2 or Transport Zone 3, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

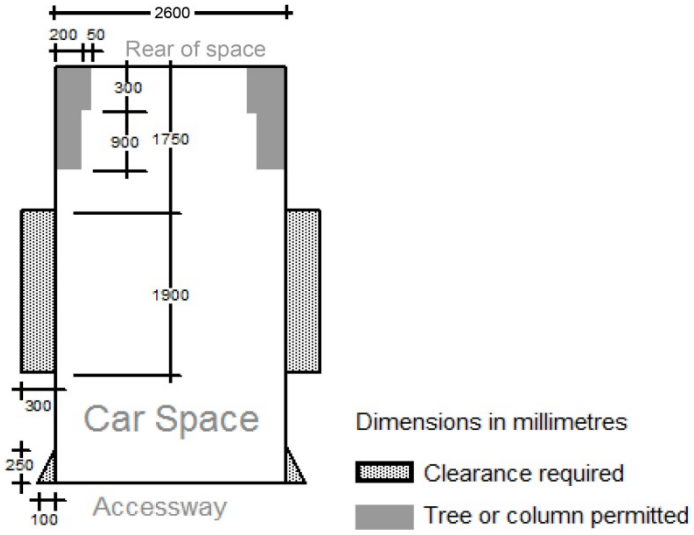
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note *Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).*

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

52.06-10 Decision guidelines

18/12/2025
VC277

Before deciding that a plan prepared under clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.

- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

52.06-11 Construction of car parking

18/12/2025
VC277

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 Transitional provisions

09/06/2026
VC311

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

- 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 if the schedule was included in this planning scheme before the commencement of Amendment VC311.

52.07 EMERGENCY RECOVERY

22/11/2022
VC228

Purpose

To facilitate and support recovery from emergencies.

To facilitate the construction and use of temporary accommodation following an emergency.

To enable businesses and services to continue operating following an emergency.

To support the provision of materials and infrastructure required for emergency recovery.

52.07-1 Exemption from planning scheme requirements

04/11/2022
VC226

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following uses or developments if the requirements of clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
  - Associated with recovery carried out by or on behalf of a municipal council or public authority; or
  - For accommodation; or
  - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by an emergency.
- The removal, destruction or lopping of vegetation.

This exemption does not apply to:

- The requirement in clause 45.03-1.
- The use or development of land to which clause 52.14 applies.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.07-2 Information to responsible authority

04/11/2022
VC226

The following requirement does not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Before the commencement of a use or the construction of a building under clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
  - Stating the address of the land; or
  - Stating the title particulars of the land; or
  - Including a plan showing the land; or
  - Any combination of these.

52.07-3 Temporary accommodation requirements

04/11/2022
VC226

The following requirements do not apply to the use or development of land associated with recovery carried out by or on behalf of a municipal council or public authority.

Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The accommodation must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the accommodation must be treated and retained within the lot in accordance with the requirements in the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system or treated and disposed of to the satisfaction of the responsible authority.
- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.
- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

52.07-4 Continuation of use requirements

04/11/2022
VC226

The following requirements do not apply to the use or development of land:

- For accommodation; or
- Associated with recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by an emergency must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by an emergency, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by an emergency.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

52.07-5 Vegetation removal requirement

04/11/2022
VC226

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:

- To enable the removal of a building, equipment or other material that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed; or
- To enable the repair or reconstruction of a fence that was damaged or destroyed by an emergency within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or
- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

52.07-6 Other development requirements

04/11/2022
VC226

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be carried out to the satisfaction of the responsible authority.

Development of land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.

52.07-7 Exemptions for extractive industry

06/10/2023
VC247

Any requirement of a planning permit, including any condition, or any provision of this planning scheme, that limits, or has the effect of limiting, the hours or days during which an extractive industry may be carried out, does not apply to the quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials if:

- The materials are directly associated with recovery; and
- The quarrying and processing of materials and the dispatch, delivery, loading or unloading of materials occurs within 24 months of an emergency.

52.07-8 Meaning of terms

22/11/2022
VC228

In this clause:

- ***emergency*** means:
  - a bushfire; or
  - an earthquake, flood, wind-storm or other natural event;
- ***recovery*** means the assisting of persons and communities affected by emergencies to achieve a proper and effective level of functioning.

52.08 EARTH AND ENERGY RESOURCES INDUSTRY

24/01/2020
VC160

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

52.08-1 Permit requirement

24/01/2020
VC160

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:	
Extractive industry	Complies with Section 77T of the *Mineral Resources (Sustainable Development) Act 1990*.
Geothermal energy exploration	Complies with the *Geothermal Energy Resources Act 2005*.
Geothermal energy extraction	Complies with Section 62 of the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration exploration	Complies with Section 189 of the *Greenhouse Gas Geological Sequestration Act 2008*.
Greenhouse gas sequestration	Complies with Section 191 of the *Geological Sequestration Act 2008*.
Mineral exploration	Complies with Section 43(3) of the *Mineral Resources (Sustainable Development) Act 1990*.
Mining	Complies with Section 42(7) or Section 42A *Mineral Resources (Sustainable Development) Act 1990*; or Complies with Section 47A of the *Electricity Industry Act 1993*.
Petroleum exploration	Complies with Section 118 of the *Petroleum Act 1998*.
Petroleum production	Complies with Section 120 of the *Petroleum Act 1998*.
Stone exploration	Must not be costeaning or bulk sampling.

52.08-2 Application requirements for mining

24/01/2020
VC160

An application to use and develop land for mining must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990*.
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990*.
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990*.

52.08-3 Referral requirements for mining

14/05/2021
VC198

An application to use or develop land for mining must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.09 EXTRACTIVE INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS

24/01/2020
VC160

Purpose

To ensure that use and development of land for extractive industry does not adversely affect the environment or amenity of the area during or after extraction.

To ensure that excavated areas can be appropriately rehabilitated.

To ensure that stone resources, which may be required by the community for future use, are protected from inappropriate use and development.

52.09-1 Application

24/01/2020
VC160

This clause applies to an application to use or develop land:

- For extractive industry;
- Within an Extractive Industry Interest Area; or
- Within 500 metres of an existing or proposed extractive industry operation.

52.09-2 Application requirements

24/01/2020
VC160

An application to use and develop land for extractive industry must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the *Mineral Resources (Sustainable Development) Act 1990.*
- The written notice of statutory endorsement under section 77TD(1) of the *Mineral Resources (Sustainable Development) Act 1990.*
- Any conditions specified under section 77TD(3) of the *Mineral Resources (Sustainable Development) Act 1990.*

These requirements do not apply if the proposed extractive industry is exempt from:

- The requirement to obtain a work plan under section 77G of the *Mineral Resources (Sustainable Development) Act 1990;* or
- The provisions of the *Mineral Resources (Sustainable Development) Act 1990* under section 5AA of that Act.

52.09-3 Referral of applications

22/03/2022
VC219

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66, if the application is to use or develop land for:

- Extractive industry; or
- Accommodation in a rural zone is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Unless the referral authority is the Head, Transport for Victoria, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-4 Decision guidelines

24/01/2020
VC160

Before deciding on an application to use and develop land for extractive industry, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposed extractive industry on any native flora and fauna on and near the land.
- The impact of the proposed extractive industry on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.
- The impact of the proposed extractive industry on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the *Mineral Resources (Sustainable Development) Act 1990*.

52.09-5 Permit conditions for extractive industry

24/01/2020
VC160

A permit to use and develop land for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit to use and develop land for extractive industry must include:

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.
- Conditions that are consistent with the requirements specified in Clause 52.09-6.

52.09-6 Requirements for extractive industry

24/01/2020
VC160

The use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.
- Shrubs and trees must be planted and maintained to screen activity on the land.
- Parking areas must be provided for employees' cars and all vehicles used on the land.

52.09-7 Notice of an application

22/03/2022
VC219

Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the person or body specified as the person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital:

  - Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.
- An application to use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

This requirement does not apply to:

- An application to extend a building or works.
- An application that is required to be referred to the Secretary under section 55 of the Act.

52.10 RECONSTRUCTION AFTER AN EMERGENCY

05/10/2021
VC208

Purpose

To facilitate the reconstruction of buildings and works damaged or destroyed as a result of an emergency.

To facilitate the re-establishment of businesses and services after an emergency.

To facilitate the continued use of land for dwellings after an emergency.

52.10-1 Use exemptions - dwelling

18/12/2024
VC272

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use of land, requires the use of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use of land (other than land in the Urban Floodway Zone) for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- The use must commence within 7 years after the date the dwelling was damaged or destroyed.
- The dwelling must not be a building that was constructed under clause 52.07.
- The land must not be used for more than the number of dwellings the land was lawfully used for before the dwelling was damaged or destroyed.
- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from the dwelling must be treated and retained within the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017* for an on-site wastewater management system.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

52.10-2 Exemption from notice and review

18/12/2024
VC272

An application under any provision of this planning scheme to use or develop land (other than the subdivision of land) is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- A building or works on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
- A use must be a use that was lawfully carried out on the land immediately before the building or works was damaged or destroyed and cannot continue without the building or works being reconstructed.
- A development must be for:
  - The repair of the damaged or destroyed building or works; or
  - The construction of a building, or the construction or carrying out of works, to replace the damaged or destroyed building or works.

- The application must be lodged within 7 years of the date the building was damaged or destroyed.
- If the application is to use or develop land for a dwelling:
  - A dwelling on the land must have been damaged or destroyed as a result of an emergency after 1 January 2019.
  - The application must only be for the number of dwellings that were damaged or destroyed.

52.10-3 Meaning of terms

05/10/2021
VC208

In this clause, ***emergency*** means:

- a bushfire; or
- an earthquake, flood, wind-storm or other natural event.

52.10-4 Transitional provision

05/10/2021
VC208

Clause 52.10-2 of this planning scheme, as in force immediately before the approval date of Amendment VC208, continues to apply to an application lodged before that date for land on which a building was damaged or destroyed by a bushfire after 1 January 2019.

52.11 HOME BASED BUSINESS

31/07/2018
VC148

Purpose

To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

52.11-1 Requirements to be met

15/03/2024
VC256

A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. This does not apply to the education or care of children. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle associated with a home business not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

In this clause, a **commercial vehicle** means:

- any motor vehicle which is used or intended to be used for carrying goods in the course of any business; or
- a commercial motor vehicle within the meaning of the Road Safety Act 1986.

52.11-2 Permit requirement

15/03/2024
VC256

Despite the requirements of Clause 52.11-1, a permit may be granted for a home based business:

- Which allows no more than three people who do not live in the dwelling to work in the business at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
- Which allows no more than one additional commercial vehicle, not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.

52.12 BUSHFIRE PROTECTION EXEMPTIONS

05/08/2020
VC176

Purpose

To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.

To facilitate the construction and protection of community fire refuges and private bushfire shelters.

52.12-1 Exemptions to create defendable space around buildings used for accommodation

05/08/2020
VC176

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to any of the following:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued before 10 September 2009; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued before 10 September 2009; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in the Bushfire Management Overlay.
  - The building must have been:
    - constructed before 10 September 2009; or
    - lawfully constructed without a planning permit before 18 November 2011; or
    - approved by a planning permit or a building permit issued before 10 September 2009 and constructed before 18 November 2011; or
    - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

52.12-2 Exemption for vegetation removal along a fenceline

05/08/2020
VC176

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of any vegetation along a boundary fence between properties in different ownership if all of the following requirements are met:

- The fence must be located in an area that is designated as a bushfire prone area under the *Building Act 1993*.
- The fence must have been constructed before 10 September 2009.
- The clearing alongside both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.

52.12-3 Exemption for buildings and works associated with a community fire refuge

05/08/2020
VC176

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 October 2015) of the *Project Development and Construction Management Act 1994*.

52.12-4 Exemption for buildings and works associated with a private bushfire shelter

05/08/2020
VC176

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2018), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

52.12-5 Exemption to create defendable space for a dwelling under Clause 44.06 of this planning scheme

25/02/2025
VC257

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to enable the construction of a dwelling, or the alteration or extension of an existing dwelling, and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Housing Choice and Transport Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the *Building Act 1993* for a dwelling or alteration or extension to the dwelling; or

- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.

Note: The effect of clause 52.12-5 is that if an application for building and works is made and all requirements of the clause are met, that application is not required to be accompanied by a permit application to remove the vegetation covered by this clause.

52.13 VICTORIA'S CONTAINER DEPOSIT SCHEME

14/11/2022
VC227

52.13-1 Purpose

26/09/2023
VC246

To facilitate an automated collection point and a container deposit scheme centre to support waste reduction and recycling under Victoria's container deposit scheme.

To ensure an automated collection point and a container deposit scheme centre are designed and sited to minimise impacts on the land and surrounding land uses.

52.13-2 Application

26/09/2023
VC246

This clause applies to the use or development of an automated collection point and a container deposit scheme centre.

52.13-3 Automated collection point requirements

26/09/2023
VC246

An automated collection point should not:

- Be attached to another building.
- Be more than 3 metres in height. This includes an attached sign.
- Restrict a vehicular or pedestrian accessway to or from the land or an entry or exit to a building.

52.13-4 Container deposit scheme centre requirements

26/09/2023
VC246

A container deposit scheme centre should collect, consolidate, store, sort or recover materials in a fully enclosed and roofed building.

In an industrial zone, Commercial 2 Zone or Port Zone, a container deposit scheme centre should be at least 30 metres from land (not a road):

- In a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Used for, or in a Public Acquisition Overlay to be acquired for, a hospital, an education centre or a corrective institution.

In any other zone, a container deposit scheme centre should:

- Be at least 60 metres from land (not a road):
  - Used for accommodation, child care centre, pre-school centre, primary school, secondary school, education centre, informal outdoor recreation, hospital or a corrective institution.
  - To be acquired for a hospital, an education centre or a corrective institution.
- Not operate machinery to collect, consolidate, store, sort or recover materials between 5pm and 8am the following day.
- Not have more than 4 vehicle movements by the operator collecting or delivering materials to the container deposit scheme centre between 5pm and 8am the following day.

52.13-5 Permit exemption for an automated collection point

26/09/2023
VC246

Any requirement in a zone or overlay, or a schedule to a zone or overlay, to obtain a permit to construct a building or construct or carry out works does not apply to an automated collection point if the requirements of clause 52.13-3 and clause 52.13-6 are met.

This exemption does not apply to a requirement in any of the following overlays if an application for one or more automated collection points has a combined gross floor area of 2 square metres or more, and a building height of 2.5 metres or more:

Other than for a maximum of two automated collection points that are no greater than 2 square metres in total area and less than 2.5 metres in height, this exemption does not apply to a requirement in a:

- Bushfire Management Overlay if the automated collection point is located less than 10 meters from a building used for accommodation, education centre, hospital, leisure and recreation, or place of assembly.
- Environmental Significance Overlay.
- Floodway Overlay.
- Heritage Overlay.
- Land Subject to Inundation Overlay.
- Public Acquisition Overlay.
- Significant Landscape Overlay.
- Special Building Overlay.

52.13-6 Permit exemption requirement for an automated collection point

26/09/2023
VC246

For the purposes of clause 52.13-5, an automated collection point with a gross floor area less than 2 square metres, and a building height less than 2.5 metres must:

- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone (other than a Mixed Use Zone or Township Zone) or a Rural Living Zone.
- Be set back at least 30 metres from a dwelling in a Township Zone.
- Not be located on vacant land in a residential or rural zone.
- Not be located in an area set aside for vehicle access or occupy a car parking space.
- Be of muted, non-reflective external colours and finishes.

For the purposes of clause 52.13-5, an automated collection point with a gross floor area of 2 square metres or more, and a building height of 2.5 metres or more must:

- Occupy no more than:
  - 4 existing car parking spaces on the land; or,
  - 5 existing car parking spaces on the land if the land contains 50 or more car parking spaces.
- Be set back at least 4 metres from the frontage.
- Be set back at least 30 metres from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- Not be located on vacant land in a residential or rural zone.
- Be of muted, non-reflective external colours and finishes.

52.13-7 Exemption from car parking requirements for an automated collection point

26/09/2023
VC246

An automated collection point is exempt from the requirements of clause 52.06.

52.13-8 Exemption from permit conditions for an automated collection point

26/09/2023
VC246

Any requirement of a permit, or any permit condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the use or development of land for an automated collection point if the requirements of clause 52.13-3 are met.

52.13-9 Application requirements

26/09/2023
VC246

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

- A site context plan that specifies the location and nature of land use within 100 metres of site boundaries.
- A site and layout plan that includes:
  - Design for safe pedestrian and vehicle movements.
  - Any additional lighting to be included and any proposed baffling.
  - Any existing automated collection points on the site.
- An operational plan that includes:
  - Operating days and hours.
  - Noise, emissions and amenity attenuation measures. This may include a report on how noise and amenity impacts from the use will be reduced.
  - Safety and access details including how the use will be serviced, emptied and how materials will be moved to and from the site.
  - Details and methods of managing the collection, consolidation, storage sorting and recovery of materials within a building to reduce noise and amenity impacts on surrounding land.
  - Details of traffic and car parking requirements generated by the use.

52.13-10 Decision guidelines

26/09/2023
VC246

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider, as appropriate:

- The effect on existing car parking provision if an automated collection point is located on existing car parking spaces.
- The setback of the development from a frontage and from land (not a road) not in the same ownership in a residential zone, Rural Living Zone or Urban Growth Zone.
- The effect of siting an automated collection point on vacant land in a residential or rural zone.
- The effect of external colours and finishes.
- The size, density and number of automated collection points including the cumulative impact of automated collection points on the land.
- Whether a proposed operational plan reduces noise and other impacts on nearby land uses.
- Safe pedestrian and vehicle movements on the land.
- The effect of noise, emissions, traffic movements and other amenity impacts on adjoining land uses.
- In a zone other than an industrial zone, Commercial 2 Zone or Port Zone the effect of noise, emissions, traffic movements and other amenity impacts of a container deposit scheme centre on adjacent and nearby sensitive land uses.

52.13-11 Exemption from notice and review

26/09/2023
VC246

An application to use or develop land for an automated collection point including the construction of or putting up for display a sign in conjunction with an automated collection point is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

An application to use or develop a container deposit scheme centre, including the construction of or putting up for display a sign in conjunction with a container deposit scheme centre is exempt from:

- In an industrial zone, Commercial 2 Zone and Port Zone, the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
- In any other zone, the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.13-12 Transitional provisions

26/09/2023
VC246

The requirements of this clause introduced by Amendment VC246 do not apply to:

- An application for an automated collection point or container deposit scheme centre lodged before the approval date of Amendment VC246.
- An application for an amendment of a permit for an automated collection point or container deposit scheme centre under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC246.

52.14 2009 BUSHFIRE - REPLACEMENT BUILDINGS

31/07/2018
VC148

Purpose

To support the rebuilding of dwellings, dependent persons' units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

52.14-1 Scope

14/12/2020
VC188

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person's unit; or
  - a building used for agriculture,

  that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
  - a dwelling or dependent person's unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

52.14-2 Exemption from planning scheme requirements

20/01/2022
VC205

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person's unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person's unit or building used for agriculture.
- The existing and proposed access to the lot.

- Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.
- For replacement dwellings and dependent persons' units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - The location and dimensions of vehicle access.
  - The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person's unit cannot be connected to a reticulated potable water supply.
  - The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

Commencement of development

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

Compliance with site plan

- The development must comply with the approved site plan.

Use and development conditions

- The land must not be used for more than the number of dwellings or dependent persons' units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person's unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person's unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person's unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person's unit must be connected to a reticulated electricity supply or have an alternative energy source.
- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.

- For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.
- For land adjacent to a Transport Zone 2 or Land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, access must not be created or altered.

52.14-3 Land in an Erosion Management Overlay

31/07/2018
VC148

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.14-4 Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

31/07/2018
VC148

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant flood plain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5 Decision guidelines

31/07/2018
VC148

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person's unit can be located on the land to assist the minimisation of risk to life and property from bushfire.

52.15 HELIPORT AND HELICOPTER LANDING SITE

29/10/2015
VC101

Purpose

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

52.15-1 Permit requirement

20/03/2023
VC229

A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

No permit is required to use land for a helicopter landing site if any of the following apply:	
Emergency services	The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.
Agriculture	The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.
Public land management	The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following: ▪ Department of Energy, Environment and Climate Action; ▪ The Department of Transport and Planning; ▪ Parks Victoria; or ▪ The Great Ocean Road Coast and Parks Authority, whether on private land or not.
General	The helicopter landing site where either: ▪ The landing point is located more than 500 metres from a building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided: – The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements). – Flight movements do not take place before 7am or after sunset on a weekday. – Flight movements do not take place before 8am or after sunset on a weekend or holiday; or ▪ The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne.

52.15-2 Application requirements

18/12/2012
VC93

An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.

- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.
- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
  - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
  - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

52.15-3 Decision guidelines

18/12/2012
VC93

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.

52.16 NATIVE VEGETATION PRECINCT PLAN

30/10/2025
VC291

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.16-1 Application

12/12/2017
VC138

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

52.16-2 Native vegetation precinct plans

14/07/2022
VC213

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

52.16-3 Permit requirement

12/12/2017
VC138

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

52.16-4 Application requirements

14/07/2022
VC213

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.16-5 Decision guidelines

14/07/2022
VC213

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

52.16-6 Offset requirements

14/07/2022
VC213

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

52.16-7 Transitional provisions

20/03/2023
VC229

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

52.16-8 Table of exemptions

16/08/2024
VC262

The requirement to obtain a permit does not apply to:	
Conservation work	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work: ▪ which provides an overall improvement for biodiversity; and ▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Crown land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land: ▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the *Procedure for the removal, destruction or lopping of native vegetation on Crown land*; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Emergency works	Native vegetation that is to be removed, destroyed or lopped: ▪ in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.
Extractive industry	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act.
Fire protection	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:

The requirement to obtain a permit does not apply to:	
	▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under *Part 2 of the Conservation, Forests and Lands Act 1987*); ▪ in accordance with a fire prevention notice issued under either: – section 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*. ▪ keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Mineral exploration and mining	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
Pest animal burrows	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*.
Planted vegetation	Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.

The requirement to obtain a permit does not apply to:	
	This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.
Railways	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is: ▪ bracken (*Pteridium esculentum*); or ▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Stone exploration	▪ Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: ▪ a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: ▪ to maintain the safe and efficient function of a Minor utility installation; or ▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

52.16-9 Melbourne Strategic Assessment Levy Area

14/07/2022
VC213

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.16-4, 52.16-5, 52.16-6 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

1.0 Native vegetation precinct plan

15/09/2008
VC49

Name of plan
None specified

52.17 NATIVE VEGETATION

30/10/2025
VC291

Purpose

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

52.17-1 Permit requirement

12/12/2017
VC138

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

52.17-2 Application requirements

14/07/2022
VC213

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

52.17-3 Property vegetation plans

12/12/2017
VC138

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

"This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit."

52.17-4 Decision guidelines

12/12/2017
VC138

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

52.17-5 Offset requirements

14/07/2022
VC213

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.

52.17-6 Transitional provisions

20/03/2023
VC229

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department's native vegetation information systems within 12 months before that date.

52.17-7 Table of exemptions

16/08/2024
VC262

The requirement to obtain a permit does not apply to:	
Conservation work	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work: ▪ which provides an overall improvement for biodiversity; and ▪ with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Crown land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land: ▪ by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), the Great Ocean Road Coast and Parks Authority or Parks Victoria, and in accordance with the *Procedure for the removal, destruction or lopping of native vegetation on Crown land*; or ▪ with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Dead native vegetation	Native vegetation that is dead. This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
Emergency works	Native vegetation that is to be removed, destroyed, or lopped: ▪ in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or ▪ where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

The requirement to obtain a permit does not apply to:	
Existing buildings	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008. This exemption does not apply to: ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building.
Existing buildings and works in the Farming Zone and Rural Activity Zone	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone. This exemption does not apply to: ▪ the use or maintenance of a Dwelling; or ▪ the operation or maintenance of a fence; or ▪ native vegetation located more than 10 metres measured from the outermost point of the building or works.
Extractive industry	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act.
Fences	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable: ▪ the operation or maintenance of an existing fence; or ▪ the construction of a boundary fence between properties in different ownership. The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.
Fire protection	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities: ▪ fire fighting; ▪ planned burning; ▪ making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; ▪ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); ▪ in accordance with a fire prevention notice issued under either: – section 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*.

The requirement to obtain a permit does not apply to:	
	▪ keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*; ▪ minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
Geothermal energy exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*.
Grasses	Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: ▪ located within a lawn, garden or other landscaped area; or ▪ maintained at a height of at least 10 centimetres above ground level.
Grazing	Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: ▪ freehold land; or ▪ Crown land in accordance with a license, permit or lease granted under applicable legislation.
Greenhouse gas sequestration and exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Harvesting for timber production – naturally established native vegetation	Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022) and are: ▪ undertaken on public land under a licence or permit issued under section 52 of the *Forests Act 1958*; or ▪ authorised in accordance with Part 5 of the *Sustainable Forests (Timber) Act 2004*.
Land management or directions notice	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.

The requirement to obtain a permit does not apply to:	
Lopping and pruning for maintenance	Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. This exemption does not apply to: ▪ the pruning or lopping of the trunk of a native tree; or ▪ native vegetation on a roadside or railway reservation.
Mineral exploration and extraction	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*: ▪ that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or ▪ in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*
New buildings and works in the Farming Zone and Rural Activity Zone	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising.
New dwellings in the Farming Zone and Rural Activity Zone	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone. The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 300 square metres of native vegetation which does not include a tree. ▪ 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage.

The requirement to obtain a permit does not apply to:	
Personal use	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land. For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft. This exemption does not apply to: ▪ contiguous land in one ownership that has an area of less than 10 hectares; ▪ the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or ▪ a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
Pest animal burrows	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone: ▪ in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or ▪ provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following: – 1 hectare of native vegetation which does not include a tree; or – 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.
Planted vegetation	Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.
Railways	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Regrowth	Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is: ▪ less than 10 years old; or ▪ bracken (*Pteridium esculentum*); or

The requirement to obtain a permit does not apply to:	
	▪ within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or ▪ less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is: – shown on that plan as being 'certified regrowth'; and – on land that is to be used or maintained for cultivation or pasture during the term of that plan. This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
Road safety	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Site area	Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares. This exemption does not apply to native vegetation on a roadside or rail reservation.
Stock movements on roads	Native vegetation that is to be removed, or destroyed by stock being moved along a road. This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.
Stone exploration	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. ▪ 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. This exemption does not apply to costeaning and bulk sampling activities.
Surveying	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.
Traditional owners	Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

The requirement to obtain a permit does not apply to:	
	▪ a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or ▪ an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act* in 2016 (1 May 2017).
Tram stops	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria to construct a tram stop, including a tram stop shelter.
Transport land	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of the Head, Transport for Victoria on land in a Transport Zone, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority, to construct or maintain transport system infrastructure, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Utility installations	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: ▪ to maintain the safe and efficient function a Minor utility installation; or ▪ by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).
Vehicle access from public roads	Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road. This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres. This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation. In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*. *Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.*
Weeds	Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: ▪ 1 hectare of native vegetation which does not include a tree. ▪ 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

52.17-8 Melbourne Strategic Assessment Levy Area

14/07/2022
VC213

The following provisions apply to the removal, destruction or lopping of native vegetation in the levy area within the meaning of the *Melbourne Strategic Assessment (Environment Mitigation Levy) Act 2020*.

Despite clauses 52.17-2, 52.17-4, 52.17-5 and anything in the Guidelines:

- An application to remove, destroy or lop native vegetation is not required to be accompanied by an offset statement providing evidence that an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- Before deciding on an application, a responsible authority is not required to consider whether an offset that meets the offset requirements for the native vegetation to be removed has been identified and can be secured in accordance with the Guidelines.
- The biodiversity impacts of the removal, destruction or lopping of native vegetation are not required to be offset in accordance with the Guidelines.

10/09/2021
C126hbay

SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

1.0 Scheduled area

10/09/2021
C126hbay

Area	Description of native vegetation for which no permit is required to remove, destroy or lop
None specified	

2.0 Scheduled weed

10/09/2021
C126hbay

Area	Description of weed
None specified	

52.18 CORONAVIRUS (COVID-19) PANDEMIC AND RECOVERY EXEMPTIONS

28/10/2022
VC224

Purpose

To support Victoria's social and economic recovery from the coronavirus (COVID-19) pandemic through exemptions that enable outdoor dining and facilitate the reopening and safe operation of hospitality and other businesses.

52.18-1 Operation

17/10/2025
VC296

This clause contains exemptions from the requirements of this planning scheme and exemptions from conditions of permits.

The exemptions in this clause prevail over any inconsistent provision in this planning scheme or condition of a permit.

The exemptions in this clause do not apply to a requirement in the Heritage Overlay relating to the construction or carrying out of works to an existing building, the alteration of an existing building, or the painting of an existing building, other than a building constructed or placed under an exemption in this clause.

A use or development carried out under an exemption in this clause must comply with the requirements in clause 52.18-6.

In this clause:

- ***drink*** includes liquor;
- ***exemption period*** means the period when a pandemic declaration under the *Public Health and Wellbeing Act 2008* in relation to coronavirus (COVID-19) is in force and until 30 June 2027;
- ***hospitality*** means:
  - the preparation or sale of food or drink for immediate consumption on, or off, the land; or
  - the consumption of food or drink;
- ***public land*** means Crown land and land that is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.

52.18-2 Public land exemptions

28/10/2022
VC224

Any requirement in this planning scheme relating to the use of land does not apply to the use of public land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works on public land does not apply to a temporary building or moveable building associated with the use of land for an art and craft centre, education centre, hospitality, leisure and recreation, office, place of assembly, market or shop during the exemption period if the requirements of clause 52.18-6 are met.

52.18-3 Food and drink business extension exemptions

28/10/2022
VC224

Any requirement in this planning scheme relating to the use of land does not apply to the use of land for hospitality during the exemption period if the use is associated with the existing use of adjoining land for a food and drink premises, function centre, nightclub or winery, and the requirements of clause 52.18-6 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to a temporary building or moveable building associated with the use of the land for hospitality during the exemption period if the requirements of clause 52.18-6 are met.

52.18-4 Car parking exemption

28/10/2022
VC224

Any requirement of this planning scheme relating to the provision of car parking does not apply to a use commenced under an exemption in this clause, or the existing use of land for a food and drink premises, function centre, nightclub or winery, during the exemption period.

52.18-5 Permit condition exemptions

28/10/2022
VC224

The following exemptions apply to permits issued before the approval date of Amendment VC193 and which allow:

- the use or development of land for a food and drink premises, function centre, nightclub or winery; or
- the use or development of land for the sale or consumption of liquor associated with the use of the land for a food and drink premises, function centre, nightclub or winery.

Any requirement of a permit, including any condition, relating to the layout or location of the preparation, sale or consumption of food or drink on the land does not apply during the exemption period if the requirements of clause 52.18-6 are met. This exemption does not apply to a condition relating to the maximum number of patrons, hours of operation (including any condition that applies to a particular outdoor area), location or playing of music, or noise levels.

Any requirement of a permit, including any condition, relating to the layout or location of development on the land does not apply to the construction or placing of a temporary building or moveable building, or the construction or carrying out of works, under an exemption in this clause if the requirements of clause 52.18-6 are met.

Any requirement of a permit, including any condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply to the alteration of an existing use of land under an exemption in this clause during the exemption period if the requirements of clause 52.18-6 are met.

52.18-6 Use and development requirements

15/03/2024
VC256

The following requirements apply to the use and development of land carried out under an exemption in this clause.

The use of the land must not:

- Continue after the exemption period unless in accordance with the requirements of this planning scheme.
- Unreasonably affect the amenity of the neighbourhood, including through:
  - Transport of materials, goods or commodities to or from the land.
  - Appearance of any building, works or materials.
  - Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Land in, or within 30 metres of, a residential zone must not be used for the outdoor consumption of food or drink between the hours of 10.00pm and 7.00am. The responsible authority may vary this requirement to extend the hours of the use.

The use or development of land must not impede access required by emergency services or for waste collection.

The height of a building constructed or placed under an exemption in this clause must not exceed 3.6 metres.

A building must not be constructed or placed under an exemption in this clause within 1 metre of adjacent land in a residential zone if the height of the building exceeds 1.8 metres.

The siting of a building in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the responsible authority.

The siting of a building in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the relevant floodplain management authority.

A building constructed or placed under an exemption in this clause must be removed from the land before the end of the exemption period.

52.19 TELECOMMUNICATIONS FACILITY

04/11/2022
VC226

Purpose

To ensure that telecommunications infrastructure is provided in an efficient and cost-effective manner to meet community needs.

To facilitate an effective state-wide telecommunications network consistent with proper and orderly planning.

To support the provision of telecommunications facilities with minimal impact on the amenity of the area.

52.19-1 Permit requirement

04/11/2022
VC226

A permit is required to construct a building or construct or carry out works for a telecommunications facility. This does not apply to the construction of a building or the construction or carrying out of works for any of the following:

- A low-impact facility specified in the *Telecommunications (Low-impact Facilities) Determination 2018* (Cth).
- The inspection and maintenance of a facility as defined in the *Telecommunications Act 1997* (Cth).
- A facility authorised by a facility installation permit issued under the *Telecommunications Act 1997* (Cth).
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the *Telecommunications Act 1997* (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the *Telecommunications Act 1997* (Cth) pursuant to legislation applying to that body.
- A temporary defence facility.
- A telecommunications facility equipment shelter.
- A telecommunications line forming part of a telecommunications network connected to a building, caravan or mobile home.
- An optical fibre ground wire that replaces an electricity ground wire on a high-voltage transmission tower that supports powerlines designed to operate at 222,000 volts or greater.
- A telecommunications facility located underground if any ground disturbed in constructing or installing the facility is reinstated.
- A telecommunications dish with a diameter of 1.2 metres or less.
- A telecommunications dish with a diameter of more than 1.2 metres and less than or equal to 2.4 metres if the following requirements are met:
  - If the dish is in a Heritage Overlay, it must not be visible from a street (other than a lane) or public park.
  - If the dish is in a residential zone, it must:
    - Be set back from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.
    - Be set back at least 3 metres from a boundary opposite an existing habitable room window.
    - Not be visible from the street (other than a lane) or a public park.

- A telecommunications tower that replaces an existing light pole on public land if the following requirements are met:
  - The public land manager must be a municipal council.
  - The tower must not be more than 8 metres higher than the light pole.
- A telecommunications tower that replaces an existing telecommunications tower on the same land if the following requirements are met:
  - The tower must not be in a residential zone, or a Significant Landscape Overlay, Heritage Overlay or Neighbourhood Character Overlay.
  - The tower must not be more than 8 metres higher than the existing tower.
  - The tower must not be a lattice tower.
  - The tower must be located within 20 metres of the existing tower.
  - The existing tower must be removed within 60 days of the new tower commencing operation.
- The extension of an existing telecommunications tower if the following requirements are met:
  - The tower must not be in a residential zone.
  - The height of the extension must not exceed 8 metres.
  - The tower must not have been previously extended without a permit.
  - The tower must have been constructed for 12 months before the extension.
- A telecommunications facility on a building if the following requirements are met:
  - If the building is in a residential zone, the height of the facility must not be more than 1 metre higher than the building height of the building.
  - If the building is in a zone other than a residential zone, the height of the facility must not be more than 8 metres higher than the building height of the building.
- A telecommunications facility that provides service coverage during routine or emergency maintenance of an existing facility, construction or installation of a new facility, or additional service coverage for an event, if the following requirements are met:
  - The height of the facility must not exceed 25 metres above its base or the height of the existing facility, whichever is the greater.
  - The facility must not be located on the land for more than a total of 4 months in any 12 month period.

52.19-2 Land in public ownership

04/11/2022
VC226

An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

52.19-3 Exemptions from notice and review

04/11/2022
VC226

An application under any provision of this planning scheme to construct a building or construct or carry out works for a telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to:

- An application under a Significant Landscape Overlay, a Heritage Overlay, or Neighbourhood Character Overlay.
- An application under a public land zone if the responsible authority is not the public land manager.
- An application for any of the following:
  - A telecommunications dish.
  - A telecommunications facility on a building within 100 metres of a residential zone.
  - A telecommunications facility on a building within 100 metres of a dwelling not on the same land or land in contiguous ownership.
  - A telecommunications tower in a residential zone.
  - A telecommunications tower within 100 metres of a residential zone.
  - A telecommunications tower within 100 metres of a dwelling not on the same land or land in contiguous ownership.

An application under any provision of this planning scheme to use or develop land for a telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the telecommunications facility is funded, or partly funded, by the Commonwealth through the Mobile Black Spot Program or the State of Victoria.

52.19-4 Application requirements

04/11/2022
VC226

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

- A site analysis and design response explaining the design, siting, construction and operation of the telecommunications facility.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

52.19-5 Decision guidelines

04/11/2022
VC226

Before deciding on an application, in addition to the decision guidelines of clause 65, the responsible authority must consider, as appropriate:

- The design, siting, construction and operation of the telecommunications facility.
- The effect of the telecommunications facility on adjacent land.

52.20 GOVERNMENT FUNDED HOUSING DEVELOPMENT

19/12/2024
VC273

Purpose

To facilitate the use and development of land for housing projects funded wholly or partly, by the Victorian or Commonwealth Government.

To ensure that development does not unreasonably impact on the amenity of adjoining dwellings or small second dwellings.

52.20-1 Application

19/12/2024
VC273

This clause applies to the use or development of land that is:

- Funded wholly or partly, by the Victorian or Commonwealth Government; and
- Carried out by or on behalf of the Chief Executive Officer, Homes Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land in an industrial zone, rural zone or Port Zone.
- The use or development of land in a Bushfire Management Overlay.
- A use or development to which Clause 51.01 - Specific Site and Exclusions, or Clause 45.12 - Specific Controls Overlay, or any schedule to the clauses apply.
- A use or development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.20-2.
- A use or development that is inconsistent with an applicable Statement of Planning Policy.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.

In this clause, ***Chief Executive Officer, Homes Victoria*** means 'Chief Executive Officer, Homes Victoria' as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

52.20-2 Exemption from planning scheme requirements

20/12/2021
VC207

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development Clause 52.20 applies to if requirements of this clause are met.

This exemption does not apply to a requirement in Clauses 45.03 (Environmental Audit Overlay), 45.07 (City Link Project Overlay), 45.08 (Melbourne Airport Environs Overlay), 51.03 (Upper Yarra Valley & Dandenong Ranges Regional Strategy Plan) or 52.02 (Easements, Restrictions and Reserves), or in any schedule to those clauses.

52.20-3 Use and development requirements

19/12/2024
VC273

The use and development of land must be carried out in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning. Plans and documents may be amended to the satisfaction of the Minister for Planning.

The use and development of land to be carried out to the satisfaction of the Minister for Planning must not commence until funding from the Victorian or Commonwealth Government is approved.

52.20-4 Consultation requirements

14/07/2022
VC230

Before plans, documents and information required under Clause 52.20-5 are submitted:

- Public consultation, and consultation with the relevant municipal council, on the plans, documents and information proposed to be submitted under Clause 52.20-5; and
- A report that summarises the consultation undertaken, feedback received, and explains how the feedback has been considered and responded to, must be completed.

The requirements of Clause 52.20-4 must be undertaken to the satisfaction of the Minister for Planning and may be varied or waived by the Minister for Planning.

52.20-5 Requirements for plans and documents

31/03/2025
VC267

The following plans, documents and information must be prepared and submitted to the satisfaction of the Minister for Planning:

- Written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, by the Victorian or Commonwealth Government.
- A project boundary plan that shows the boundary of the land on which the use or development will be undertaken.
- A site description and analysis plan that accurately describes the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the proposed use including:
  - The activities that will be carried out.
  - The likely effects, if any, on the site and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- Explanation of how the proposed use or development derives from and responds to the site description and analysis plan.
- A report that addresses the proposed use or development and how:
  - It responds to the purposes, objectives, decision guidelines or statements of significance or risk of any zone, overlay, or other provision that would apply to the use or development were it not for the exemptions in Clause 52.20-2. This does not include Clauses 54, 55, 57, 58 and 59.
  - A proposed use that is not a dwelling or residential building is in conjunction with that use.
  - It complies with Clause 52.20-8 Native vegetation requirement.
- A design review report prepared by a suitably qualified architect or urban designer that demonstrates how the project achieves good quality design outcomes.
- A schedule of works and development including staging and the expected commencement and completion times.
- A report that details how the proposed development responds to the development standards of:
  - Clause 52.20-6 for the construction or extension of a dwelling.

  - Clause 52.20-6 and Clause 52.20-7 for the construction or extension of an apartment development or residential building or the construction or extension a dwelling in or forming part of an apartment development or residential building. The development standards of Clause 52.20-6.8 does not apply to an apartment development or residential building of 5 or more storeys. The development standards of Clauses 52.20-6.5, 52.20-6.14, 52.20-6.18 and 52.20-6.21 do not apply to an apartment development or residential building.

- If the Minister for Planning has decided that an assessment through an environment effects statement under the Environment Effects Act 1978 is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the use or development would require a permit were it not for the exemption in Clause 52.20-2 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed use or development.
- Any other plan, document or information the Minister for Planning considers necessary to assist the assessment of the proposed use or development or the plans and documents required to be prepared under this clause. This may include street elevations, three dimensional modelling or other methods to describe the proposal.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the use and development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.

The requirements of this clause may be:

- Satisfied for separate components or stages of a use or development, but each requirement must be satisfied prior to the commencement of that component or stage.
- Varied or waived by the Minister for Planning.

52.20-6 Development standards for dwellings and buildings

01/01/2024
VC250

52.20-6.1 Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

52.20-6.2 Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table 1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

52.20-6.3 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

52.20-6.4 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

52.20-6.5 Access

The width of accessways or car spaces that front existing streets should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.

52.20-6.6 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

52.20-6.7 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. A minimum 1 car space should be provided to each 4 bedrooms of a residential building.

Car parking for other land uses must be to the satisfaction of the Minister for Planning.

Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public carparks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.

- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

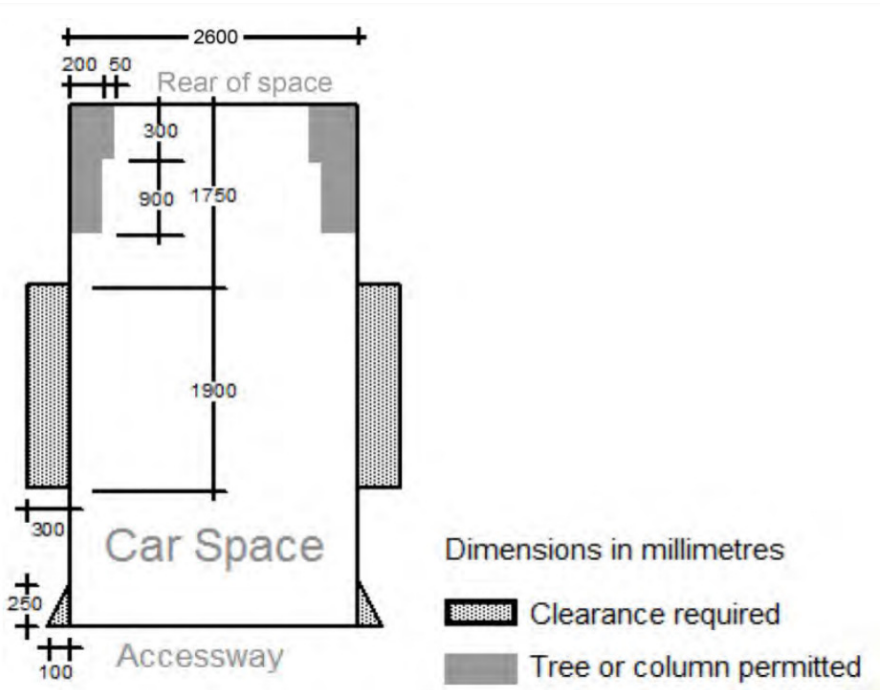
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the Minister for Planning.

Mechanical parking

Mechanical parking may be used to meet the carparking standard provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least 1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the Minister for Planning.

Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Safety

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

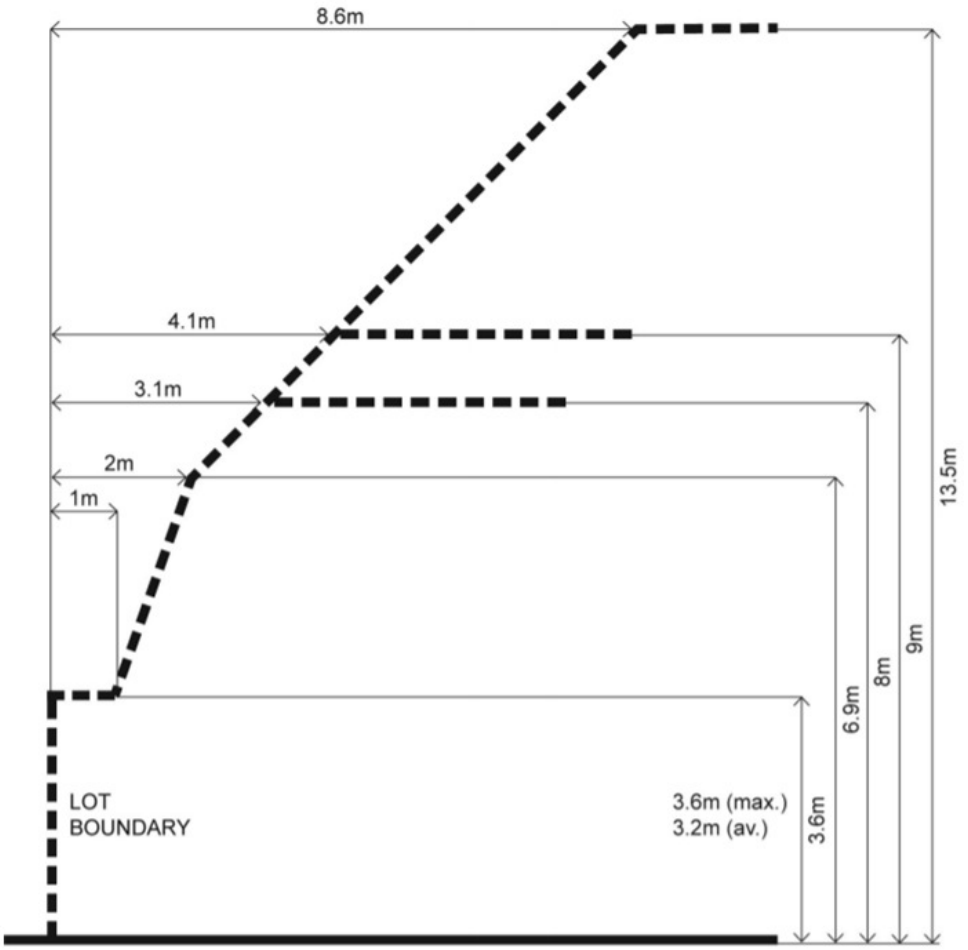
52.20-6.8 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Diagram 2 details the standard.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram 2 Side and rear setbacks



52.20-6.9 Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

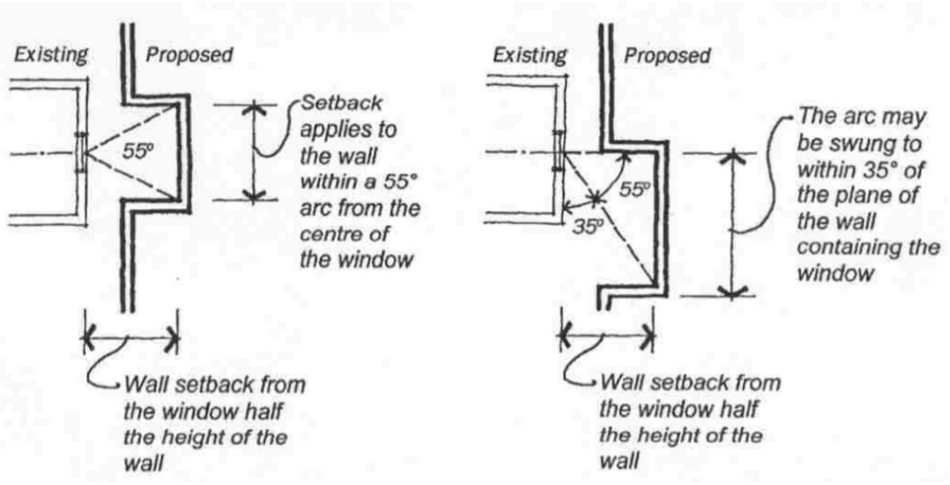
52.20-6.10 Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

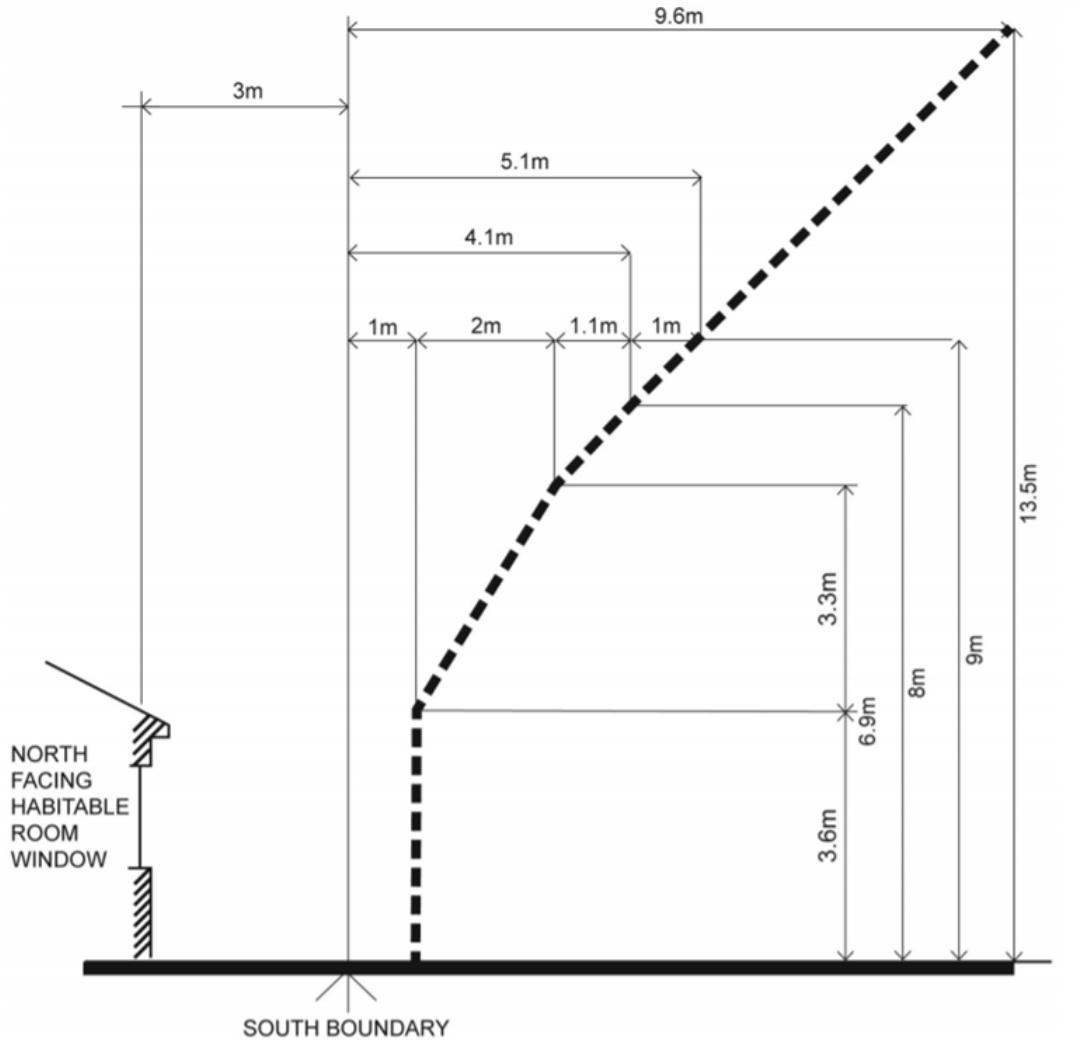
Diagram 3 Daylight to existing windows



52.20-6.11 North-facing windows

If a north-facing habitable room window of an existing dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram 4 North-facing windows



52.20-6.12 Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling or small second dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

52.20-6.13 Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling or a small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

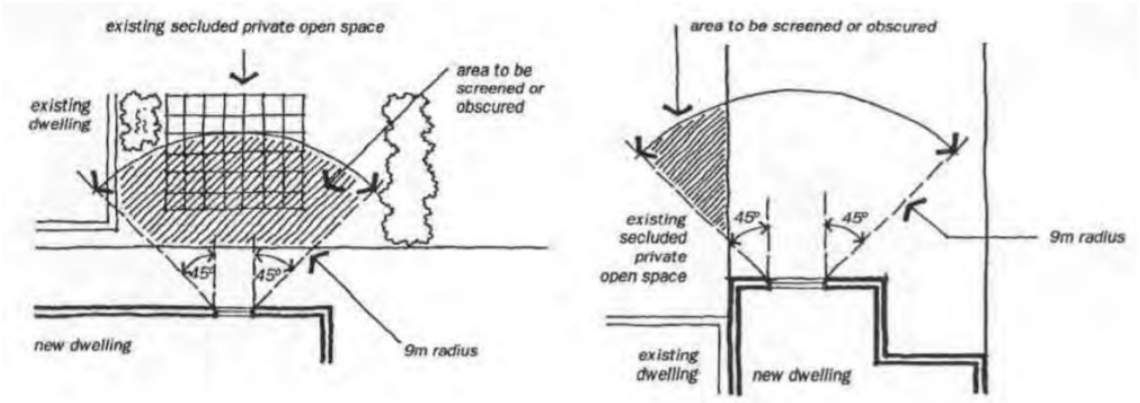
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram 5 Overlooking open space



52.20-6.14 Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

52.20-6.15 Daylight to new windows

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

52.20-6.16 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

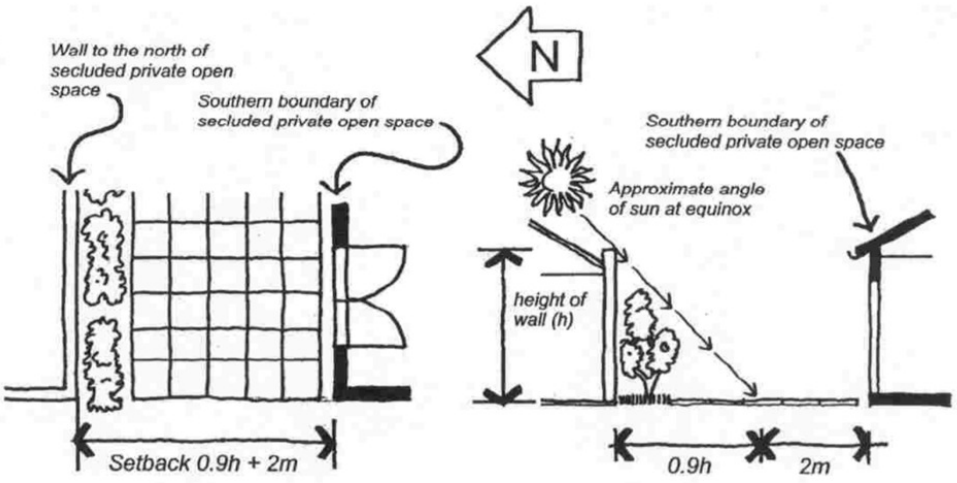
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

52.20-6.17 Solar access to open space

The private open space should be located on the north side of the dwelling if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

Diagram 6 Solar access to open space



52.20-6.18 Storage

A dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

52.20-6.19 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:

- 2 metres for streets in a Transport Zone 2, and
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

52.20-6.20 Common property

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

52.20-6.21 Site services

The design and layout of buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

52.20-7 Development standards for apartments

04/02/2026
VC265

52.20-7.1 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table 4 should not exceed the maximum NatHERS annual cooling load.

Table 4 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M^2 per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

52.20-7.2 Communal open space

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings or small second dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

52.20-7.3 Solar access to communal outdoor open space

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

52.20-7.4 Landscaping

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil area specified in Table 5. Existing trees can be used to meet the canopy cover requirements of Table 5.
- Provide canopy cover through canopy trees that are:
  - Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided, trees should be provided in planters specified in Table 6.
  - Consistent with the canopy diameter and height at maturity specified in Table 7.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plant in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.

- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater, and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage pattern of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 - 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 - 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 6 Soil requirements for trees

Tree type	Tree in deep soil Area of deep soil	Tree in planter Volume of planter	Depth of planter soil
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension 6.5 metres)	1.5 metre

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%.

Table 7 Tree types

Tree types	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	4 metres
B	8 metres	8 metres
C	12 metres	12 metres

52.20-7.5 Integrated water and stormwater management

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater 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.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table 8 Noise influence area

Noise Source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

52.20-7.8 Accessibility

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.

	Design option A	Design option B
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

52.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

52.20-7.10 Private open space

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with an area and dimensions specified in Table 10 and convenient access from a living room. If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table 10 do not apply if at least the area specified in Table 11 is provided as living area or bedroom area in addition to the minimum area specified in Table 13 or Table 14.

Table 10 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table 11 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

52.20-7.11 Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 12.

Table 12 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

52.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the Minister for Planning and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

52.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 13.
- Provide an area in addition to the minimum internal room dimensions and area to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

52.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room

52.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

52.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

52.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.

- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

52.20-7.18 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Development must provide access for service, emergency and delivery vehicles.

52.20-7.19 Site services

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

52.20-7.20 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

52.20-7.21 Wind impacts

Development of five or more storeys should:

- not cause unsafe wind conditions specified in Table 15 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 15 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 15 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

52.20-8 Native vegetation requirements

04/02/2026
VC265

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 Transitional provision

20/03/2023
VC229

The development standards at Clause 52.20-7 for apartment developments and residential buildings in force immediately before the approval date of Amendment VC207 continue to apply to a use or development that has received written confirmation from the Chief Executive Officer, Homes Victoria that an application is funded, either wholly or partly, under Victoria's Big Housing Build program, signed before 30 June 2022.

52.21 PRIVATE TENNIS COURT

31/07/2018
VC148

Purpose

To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.

To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

52.21-1 Application

31/07/2018
VC148

This clause applies to any private tennis court which is used in association with a dwelling.

52.21-2 Permit requirement

19/01/2006
VC37

A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

52.21-3 Application requirements

19/01/2006
VC37

Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.

52.21-4 Notice provisions

31/07/2018
VC148

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.

In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

52.21-5 Decision guidelines

19/01/2006
VC37

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.

52.22 COMMUNITY CARE ACCOMMODATION

26/10/2018
VC152

Purpose

To facilitate the establishment of community care accommodation.

To support the confidentiality of community care accommodation.

52.22-1 Application

26/10/2018
VC152

This clause applies to the use and development of land for community care accommodation.

52.22-2 Use exemption

28/02/2025
VC274

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Housing Choice and Transport Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Precinct Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use 'community care accommodation' in the table of uses in the zone or schedule to the zone is met.
- The use is:
  - funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
  - funded by, or carried out by, a registered National Disability Insurance Scheme (NDIS) provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not accommodated on the land may access support services provided on the land.

52.22-3 Buildings and works exemption

31/03/2025
VC267

Any requirement in the General Residential Zone, Housing Choice and Transport Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is:
  - funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
  - funded by, or carried out by, a registered NDIS provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.

- The development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area must be provided in accordance with the minimum garden area requirement specified in the zone.
- The development is in the General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, the standards B2-1, B2-3, B2-4, B4-1, B4-2, B4-3, B4-4 and B5-2 of clause 55 must be met.

52.22-4 Exemption from notice and review

04/11/2022
VC226

An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the application is made by or on behalf of:

- A government department or public authority, including a public authority established for a public purpose under a Commonwealth Act; or
- A registered NDIS provider if the design of the building is certified to the NDIS Specialist Disability Accommodation Design Standard by an accredited third party NDIS Specialist Disability Accommodation assessor.

52.22-5 Meaning of terms

04/11/2022
VC226

In this clause:

- National Disability Insurance Scheme has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.
- Registered NDIS provider has the same meaning as part 4 section 9 of the *National Disability Insurance Scheme Act 2013*.

52.23 ROOMING HOUSE

26/10/2018
VC152

Purpose

To facilitate the establishment of domestic-scale rooming houses.

52.23-1 Application

26/10/2018
VC152

This clause applies to use and development of land for a rooming house.

52.23-2 Use exemption

28/02/2025
VC274

Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Precinct Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use 'rooming house' in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

52.23-3 Buildings and works exemption

25/02/2025
VC257

Any requirement in the General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.

52.25 CREMATORIUM

19/01/2006
VC37

Purpose

To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required

A permit is required to develop and use a crematorium on land that is used for cemetery purposes.

This does not apply to land in the Springvale Crematorium.

Decision guidelines

Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.

52.26 [NO CONTENT]

31/07/2018
VC148

52.27 [NO CONTENT]

01/07/2025
VC286

52.28 GAMING

31/07/2018
VC148

52.28-1 Purpose

18/10/2006
VC39

To ensure that gaming machines are situated in appropriate locations and premises.

To ensure the social and economic impacts of the location of gaming machines are considered.

To prohibit gaming machines in specified shopping complexes and strip shopping centres.

52.28-2 Gaming objectives

31/07/2018
VC148

A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

52.28-3 Permit requirement

31/07/2018
VC148

A permit is required to install or use a gaming machine.

This does not apply in either of the following circumstances:

- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-4 Prohibition of a gaming machine in a shopping complex

31/07/2018
VC148

Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

52.28-5 Prohibition of a gaming machine in a strip shopping centre

31/07/2018
VC148

Installation or use of a gaming machine is prohibited in a strip shopping centre if:

- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.

This does not apply to a gaming machine in an approved venue under the *Gambling Regulation Act 2003* on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

A strip shopping centre is an area that meets all of the following requirements:

- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;

but it does not include the Capital City Zone in the Melbourne Planning Scheme.

52.28-6 Locations for gaming machines

31/07/2018
VC148

A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.

52.28-7 Venues for gaming machines

31/07/2018
VC148

A schedule to this clause may specify guidelines relating to venues for gaming machines.

52.28-8 Application requirements

31/07/2018
VC148

An application must be accompanied by any information specified in a schedule to this overlay.

52.28-9 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.

15/11/2018
C112

SCHEDULE TO CLAUSE 52.28 GAMING

1.0 Objectives

24/02/2022
C131hbay

To ensure that the social and economic impact of the Electronic gaming machine (EGM) is not detrimental to the wellbeing of the community.

To ensure that EGM venues are located, designed and operated in a manner that minimises opportunities for convenience gambling.

To locate EGMs away from disadvantaged areas or vulnerable communities.

To ensure gaming is not the primary use within a venue.

To ensure proposals for gaming premises deliver a net community benefit in Hobsons Bay.

2.0 Prohibition of a gaming machine in a shopping complex

24/02/2022
C131hbay

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
Central Square, Altona Meadows	Land on the southwest corner of Central Avenue and Merton Street, also known as 1-23 Central Avenue, Altona Meadows
Altona Gate, Altona North	Land on the northwest corner of Beuron Road and Millers Road, also known as 124-134 Millers Road, Altona North including 84-122 Millers Road, Altona North

3.0 Prohibition of a gaming machine in a strip shopping centre

24/02/2022
C131hbay

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
Aviation Road, Laverton	1-9 (odd numbers) and 2-28 (even numbers) Aviation Rd; 161-163 (odd numbers) Railway Ave; 2-8 (even numbers) Neville Ave
Borrack Square, Altona North	1-39 (odd numbers) and 2-40 (even numbers) Borrack Square; 202-204 (even numbers) Millers Rd
Challis Street, Newport	31-47 (odd numbers) and 44-56 (even numbers) Challis St
Douglas Parade/Ferguson Street, Williamstown	2-102 (even numbers) and 7-97 (odd numbers) (including land at the rear of 87) Ferguson St; 1-111 (odd numbers) and 4-110 (even numbers) (including land at the rear of 32-36 (even numbers)) Douglas Pde; 32-36 (even numbers) Lyons St; 101 Napier St; 4-10 (even numbers) Roaches Terrace; 64-68 (even numbers) and 77-83 (odd numbers) Stevedore St; land at the rear of 85 Stevedore St; 72-74 (even numbers) Electra St; 1-17 (odd numbers) and 2-14 (even

Name of strip shopping centre and locality	Land description
	numbers) Coxs Garden; 2-16 (even numbers) and 15-27 (odd numbers) (including land at the rear of 27) Wellington St; 166-168 (even numbers) Aitken St
Harrington Square, Altona	1-31 Harrington Square; 116-188 Maidstone St
Hudsons Road, Spotswood	29 Hope St; 68-98 (even numbers) and 79-101, 139, 145A and 145B (odd numbers) (excluding the rear of 87-97 (odd numbers)) Hudsons Rd and 606-612 Melbourne Rd
Millers Junction, Altona North	24-42 Cabot Drive and 290-298 Millers Road
Newport Junction, Newport	1-5 (odd numbers), 2-26 (even numbers) and 17-33A (odd numbers) Mason St; 33-37 (odd numbers); 1 Susman St; 1-46A Hall St (excluding land at the rear of 15 Hall St); 314-344 (even numbers) and 405-455 (odd numbers) Melbourne Rd; 1 Walker St
Pier Street, Altona	18-122 (even numbers) (including the 3 lots at the rear of 122) and 39-121 (odd numbers) Pier St; 9 and 19 Bent St; 112-122 (even numbers) Queen St; 66-92 (even numbers) Railway St Sth; 137 and 153 The Esplanade
Somers Parade, Altona	45 Maidstone St and 3-31 (odd numbers) Somers Parade
The Circle, Altona North	9-13 (odd numbers) and 25-75 (odd numbers) The Circle
The Range, Williamstown North	71-79 (odd numbers) Kororoit Creek Rd
Woods Street, Laverton	44-68 (even numbers) Woods St; 2-18 (even numbers) Lohse St; 36-38 (even numbers) Maher St
Vernon Street, South Kingsville	15-41 (odd numbers) and 30-36 (even numbers) Vernon St

4.0 Locations for gaming machines

24/02/2022
C131hbay

Gaming venues and machines should be located:

- On sites that minimise the likelihood of people passing the venue in the course of their usual business or everyday activities.
- Outside areas that are either:
  - Of relative socio-economic disadvantage. Socio-economic disadvantage is defined as households in the bottom two deciles (lowest 20 per cent) of the SEIFA (Socio-Economic Indexes for Areas) index of relative disadvantage, based on the Australian Bureau of Statistics, Statistical Area Level 1 (SA1) which is the smallest unit of Census data.
  - Identified as Strategic Redevelopment Areas in the Strategic Framework Plan at Clause 02.04.

5.0 Venues for gaming machines

24/02/2022
C131hbay

Gaming machines should be located:

- In venues that:

  - Provide a range of social, leisure and recreational activities, with gaming being only a component of these activities.
  - Physically and visually separate the venue's gaming activities from its non-gaming activities.

- Where the design and operating hours will not detrimentally affect the amenity of the surrounding area.
- Outstide of venues where:
  - The gaming floor area is more than 25 percent of the total floor area.
  - It may cause adverse amenity impacts on the adjoining land uses as a result of operating hours, traffic, noise, car parking and safety.

6.0 Application requirements

25/01/2024
C134hbay

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:

- Detailed plans of the design and layout of the venue (including the location of all existing and proposed EGMs).
- Details of the venue's existing and proposed hours of operation.
- A Social Impact Assessment prepared by a suitably qualified person, as per Council's Social Impact Assessment Guidelines: Electronic Gaming Machines (Hobsons Bay City Council, 2022), including:
  - Details and analysis of the venue's projected patron catchment and its socio-economic profile.
  - If it is proposed to move EGMs from one part of the municipality to another, details of the relative social and economic differences between the two areas. An explanation as to why the EGMs are being transferred is to be provided.
  - Characteristics of the local area including the location of and distance to shopping complexes and strip shopping centres, community facilities, public housing, counselling services and public transport.
- Details of existing and proposed gambling and non-gambling related entertainment and recreation facilities and activities at the venue and within one kilometre of the venue.
- Details of existing and proposed distribution and density of EGMs in the municipality and its neighbourhoods.
- Details of existing gaming expenditure at the venue over a three year period prior to the application (if relevant).
- If EGMs are to be relocated from other venues, and as a result, gaming expenditure is likely to be transferred from other venues:
  - Particulars as to how the level of expenditure transfer has been calculated (including, but not limited to, comparison of per machine expenditure at the venue prior to, and anticipated expenditure after, the installation of additional machines).
  - The resulting impacts on the venue from where the expenditure is transferred.
- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured for and distributed across the local community.

- Assessment of key social and economic issues and overall net community impact.
- Measures to mitigate any negative social and economic impacts from EGMs.

7.0 Decision guidelines

24/02/2022
C131hbay

The following decision guidelines apply to an application for a permit under Clause 52.28, in addition to those specified in Clause 52.28 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the proposal will result in a net social and economic benefit, aside from any community contribution scheme.
- Whether the proposal increases EGM densities in the area and how that increase affects the local community and compares with the metropolitan Melbourne average.
- Whether the proposal will result in EGMs clustering in the area and whether this is likely to increase the social disadvantage of the area.
- Whether the venue offers a range of non-gambling entertainment and recreation options.
- Whether the location, design and operation of the venue will facilitate convenience gambling.
- Whether the proposal will impact on the amenity of the area and surrounding land uses.

52.29 LAND ADJACENT TO THE PRINCIPAL ROAD NETWORK

20/01/2022
VC205

Purpose

To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.

To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network.

52.29-1 Application

20/01/2022
VC205

This clause applies to land adjacent to a road in the Transport Zone 2 or land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority, and the purpose of the acquisition is for a road.

52.29-2 Permit requirement

20/01/2022
VC205

A permit is required to:

- Create or alter access to:
  - A road in a Transport Zone 2.
  - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.
- Subdivide land adjacent to:
  - A road in a Transport Zone 2.
  - Land in a Public Acquisition Overlay if a transport manager (other than a municipal council) is the acquiring authority and the acquisition is for the purpose of a road.

52.29-3 Permit not required

14/05/2021
VC198

A permit is not required to:

- Create or alter access, or subdivide land, if carried out by or on behalf of the Head, Transport for Victoria.
- Realign a boundary.
- Subdivide an existing building, provided the building is already connected to services and no new access is required.
- Subdivide land into two lots, provided no new access is required.

52.29-4 Referral of applications

20/01/2022
VC205

An application must be referred under section 55 of the Act to the person or body specified as the referral authority in clause 66.03.

52.29-5 Exemption from notice and review

31/07/2018
VC148

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.29-6 Decision guidelines

20/01/2022
VC205

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
- Any policy made by the relevant road authority pursuant to schedule 2, clause 3 of the *Road Management Act 2004* regarding access between a controlled access road and adjacent land.

52.30 STATE PROJECTS

12/02/2024
VC254

Purpose

To facilitate the development and delivery of projects by or on behalf of, or jointly or in partnership with, or funded by the State of Victoria or a public authority, or on Crown land.

52.30-1 Application

04/02/2026
VC265

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.

52.30-2 State project decision

12/02/2024
VC254

The exemption in clause 52.30-3 applies if the Minister for Planning is satisfied that a proposed project is a state project which:

- will be:
  - carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or
  - funded, or partly funded by, the State of Victoria or a public authority; or
  - carried out on Crown land;
- is consistent with any Great Ocean Road strategic framework plan, Statement of Planning Policy or Yarra Strategic Plan that applies to the land;
- will not subdivide green wedge land into more lots or into smaller lots than allowed for by this planning scheme;

- is consistent with any approved regional strategy plan under Part 3A of the Act and any approved strategy plan under Part 3C or Part 3D of the Act; and
- does not form part of public works declared under section 3, or works subject to a notice under section 8B(4)(a)(i), or does not require an environment effects statement under the *Environment Effects Act 1978*.

In deciding whether a proposed project is a state project, the Minister for Planning may, where relevant:

- Consider the objectives of planning in Victoria.
- Have regard to any relevant Minister's directions.
- Have regard to the *Victoria Planning Provisions*.
- Take into account any significant effects which the Minister considers the proposed use or development may have on the environment or which the Minister considers the environment may have on the proposed use or development.
- Take into account any significant social effects and economic effects which the Minister considers the proposed use or development may have.
- Consider any existing specific control under clause 45.12 or 51.01 that applies to the proposed use or development.

52.30-3 Exemption from planning scheme requirements

12/02/2024
VC254

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits a project, requires a project to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a project decided by the Minister for Planning under clause 52.30-2 to be a state project if the requirements of clause 52.30 are met.

This exemption does not apply to the following:

- The subdivision of green wedge land into more lots or into smaller lots than allowed for by this planning scheme.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A use or development carried out by or on behalf of, or jointly or in partnership with, the Chief Executive Officer, Homes Victoria.
- A use or development to which clauses 52.03, 52.35 or 52.36 apply.
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

52.30-4 Project requirement

29/09/2022
VC222

The project must be carried out generally in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.

52.30-5 Consultation requirements

29/09/2022
VC222

Before the project commences:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed project will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and the feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.30-6 Other pre-commencement requirements

12/02/2024
VC254

Before the project commences, the following plans, documents and information must be prepared and submitted to the satisfaction of the Minister for Planning:

- A plan that shows the boundary of the land on which the project will be carried out.
- A site and context description that accurately describes and analyses the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the land and surrounding area, including any existing use and development.
- A description of the proposed use including:
  - The activities that will be carried out.
  - The likely effects, if any, on the land, and surrounding land and land uses, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation.
- Detailed plans and elevations of the proposed development drawn to scale and dimensioned, including details of any buildings or works proposed to be demolished or removed, and any vegetation proposed to be retained or removed.
- A report that addresses how the proposed project responds to purposes, objectives, or statements of significance or risk of any zone, overlay, or other provision that would apply to the proposed project but for the exemption in clause 52.30-3.
- A schedule of works and development including staging and the expected commencement and completion times.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the Minister's decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- A plan for the management or mitigation of potential adverse effects or impacts on the environment or amenity from the proposed use or development, during and following construction.
- If the proposed project would require a permit but for the exemption in clause 52.30-3 and a copy of the application for that permit would be required to be given to a referral authority under section 55 of the Act, the comments of that referral authority on the proposed project.
- A report that demonstrates that the environmental conditions of the land are or will be suitable for the proposed use or development including any significant effects which the use or development may have on the environment or which the environment may have on the use or development including water, noise, air or land pollution impacts on the environment, amenity or human health.
- Any other plan, document or information the Minister for Planning considers necessary to assist the Minister's assessment of the proposed project or the plans and documents required to be prepared under this clause.

The requirements of this clause may be:

- Satisfied in separate components or stages of a project, but each requirement must be satisfied prior to the commencement of that component or stage.
- May be varied or waived by the Minister for Planning.

The plans and other documents required by this clause may be amended during the project to the satisfaction of the Minister for Planning.

52.30-7 Native vegetation requirements

25/03/2021
VC194

Before the removal, destruction or lopping of native vegetation outside the levy area:

- Information about the native vegetation in accordance with application requirements in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.
- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The Secretary may vary the timing of the offset requirement.

The secured offset for a state project to which this clause applies may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with application requirements in Tables 4 and 5 (other than requirement 9) of the Guidelines must be prepared to the satisfaction of the Secretary.

The information requirements of this clause may be varied or waived by the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.31 LOCAL GOVERNMENT PROJECTS

25/03/2021
VC194

Purpose

To facilitate the development of land by or on behalf of municipal councils.

52.31-1 Permit exemptions

25/03/2021
VC194

Any requirement in a zone or a schedule to a zone to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council. This exemption does not apply to:

- A development with an estimated cost of more than $10 million.
- A development in the Urban Floodway Zone unless the development is carried out to the satisfaction of the relevant floodplain management authority.
- A development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- A development for which an environment effects statement has been, or is required to be, prepared under the *Environment Effects Act 1978*.
- A development for which the Minister for Planning has decided that an assessment through an environment effects statement under the *Environment Effects Act 1978* is not required if the Minister's decision is subject to conditions.

Any requirement in the Floodway Overlay, Land Subject to Inundation Overlay and Special Building Overlay to obtain a permit to construct a building or construct or carry out works does not apply to the development of land carried out by or on behalf of a municipal council to the satisfaction of the relevant floodplain management authority.

This clause prevails over any inconsistent provision in this planning scheme.

52.31-2 Exemption from notice and review

25/03/2021
VC194

An application under any provision of this planning scheme to develop land by or on behalf of a municipal council is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to:

- An application for a development with an estimated cost of more than $10 million.
- An application for a development associated with the use of land for accommodation, earth and energy resources industry, energy generation facility, industry or warehouse.
- An application to remove, destroy or lop more than:
  - 0.5 hectares of native vegetation other than a tree; or
  - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level; or
  - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

52.32 WIND ENERGY FACILITY

31/07/2018
VC148

Purpose

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

52.32-1 Application

03/08/2021
VC206

This clause applies to land used and developed or proposed to be used and developed for a wind energy facility.

52.32-2 Use and development of land

03/08/2021
VC206

A permit is required to use and develop land for a wind energy facility.

The use and development of land for a wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

Location	Condition
On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.	Must meet the requirements of clause 52.32-3.
Land described in a schedule to the *National Parks Act 1975*	Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.
Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)	
Land listed in a schedule to Clause 52.32-2	Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.

52.32-3 Turbine within one kilometre of a dwelling

03/08/2021
VC206

An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:

- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

52.32-4 Application requirements

04/07/2023
VC234

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

Site and context analysis

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.
- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*

- Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

Design response

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.
- A pre-construction (predictive) noise assessment report prepared by a suitably qualified and experienced acoustician that:
  - Reports on a pre-construction (predictive) noise assessment conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.
  - Provides an assessment of whether the proposed wind energy facility will comply with the noise limit for that facility under Division 5 Part 5.3 of the *Environment Protection Regulations 2021*.

  - Where the proposed wind energy facility will be the subject of a wind turbine noise agreement under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021,* specifies the premises of the relevant landowner (including any particular buildings) to which the agreement relates and provides an assessment of whether the proposed wind energy facility will comply with the modified noise limit for that facility specified in the agreement.
  - Is prepared on the basis that the relevant noise standard under Division 5 of Part 5.3 of the *Environment Protection Regulations 2021* will be *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise* and includes an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the standard.

- A report prepared by an environmental auditor appointed under Part 8.3 of the *Environment Protection Act 2017* that verifies whether or not the pre-construction (predictive) noise assessment was conducted in accordance with *New Zealand Standard NZS6808:2010, Acoustics - Wind Farm Noise*.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

52.32-5 Decision guidelines

04/07/2023
VC234

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.
- The impact of the development on significant views, including visual corridors and sightlines.
- The impact of the facility on the natural environment and natural systems.
- The impact of the facility on cultural heritage.
- The impact of the facility on aircraft safety.
- *Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria* (Department of Environment, Land, Water and Planning, November 2021).

52.32-6 Anemometer

03/08/2021
VC206

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

52.32-7 Application to amend a permit under section 72 of the Act

03/08/2021
VC206

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or
- increase the maximum height of a turbine.

52.32-8 Application to amend a permit under section 97I of the Act

03/08/2021
VC206

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of a turbine.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of a turbine by more than 20%.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0 Wind energy facility prohibition

31/07/2018
VC148

Land where a Wind energy facility is prohibited
None specified

52.33 POST BOXES AND DRY STONE WALLS

31/07/2018
VC148

Purpose

To conserve historic post boxes and dry stone walls.

Permit requirement

A permit is required to demolish or remove a post box constructed before 1930.

A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.

31/07/2018
VC148

SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0 Permit requirement for dry stone walls

31/07/2018
VC148

Land
None specified

52.34 BICYCLE FACILITIES

31/07/2018
VC148

Purpose

To encourage cycling as a mode of transport.

To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

52.34-1 Provision of bicycle facilities

19/01/2006
VC37

A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.

Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

52.34-2 Permit requirement

31/07/2018
VC148

A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

52.34-3 Exemption from notice and review

31/07/2018
VC148

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.34-4 Decision guidelines

14/01/2025
VC237

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- *Australian Standard AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking* (Standards Australia, 2015)
- Any relevant bicycle parking strategy or equivalent.

52.34-5 Required bicycle facilities

28/02/2025
VC274

Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.

If a schedule to the Precinct Zone specifies the number of bicycle spaces required for a use listed in column 1 of Table 1, that requirement is taken to be the required number of bicycle spaces for that use for the purpose of this clause.

If a schedule to the Precinct Zone specifies the number of bicycle spaces required for a use not listed in column 1 of Table 1, that use is deemed to be a use listed in column 1 of the table and the corresponding required number of spaces is deemed to be a requirement specified in column 2 or 3 of the table, as applicable.

If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.

A bicycle space for an employee or resident must be provided:

- Either in a bicycle locker or at a bicycle rail in a lockable compound.
- In accordance with any requirement specified in a schedule to the Precinct Zone.

A bicycle space for a visitor, shopper or student must be provided:

- At a bicycle rail.
- In accordance with any requirement specified in a schedule to the Precinct Zone.

Table 1 to Clause 52.34-5 Bicycle spaces

Use	Employee/Resident	Visitor/Shopper/Student
Amusement parlour	None	2 plus 1 to each 50 sq m of net floor area
Convenience restaurant	1 to each 25 sq m of floor area available to the public	2
Dwelling	In developments of four or more storeys, 1 to each 5 dwellings	In developments of four or more storeys, 1 to each 10 dwellings
Education centre (excluding Child care centre) other than specified in this table	1 to each 20 employees	1 to each 20 full-time students
Hospital	1 to each 15 beds	1 to each 30 beds
Hotel	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public	1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public
Industry other than specified in this table	1 to each 1000 sq m of net floor area	None
Library	1 to each 500 sq m of net floor area	4 plus 2 to each 200 sq m of net floor area
Major sports and recreation facility	1 to each 1500 spectator places	1 to each 250 spectator places
Market	1 to each 50 stalls	1 to each 10 stalls
Medical centre	1 to each 8 practitioners	1 to each 4 practitioners
Minor sports and recreation facility	1 per 4 employees	1 to each 200 sq m of net floor area
Motel	1 to each 40 rooms	None
Office other than specified in this table	1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m	1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m
Place of assembly other than specified in this table	1 to each 1500 sq m of net floor area	2 plus 1 to each 1500 sq m of net floor area
Primary school	1 to each 20 employees	1 to each 5 pupils over year 4

Use	Employee/Resident	Visitor/Shopper/Student
Residential building other than specified in this table	In developments of four or more storeys, 1 to each 10 lodging rooms	In developments of four or more storeys, 1 to each 10 lodging rooms
Restaurant	1 to each 100 sq m of floor area available to the public	2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.
Retail premises other than specified in this table	1 to each 300 sq m of leasable floor area	1 to each 500 sq m of leasable floor area
Secondary school	1 to each 20 employees	1 to each 5 pupils
Service industry	1 to each 800 sq m of net floor area	None
Shop	1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres	1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres
Take-away food premises	1 to each 100 sq m of net floor area	1 to each 50 sq m of net floor area

Table 2 to Clause 52.34-5 Showers

USE	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.	None

Table 3 to Clause 52.34-5 – Change rooms

USE	Employee/Resident	Visitor/Shopper/Student
Any use listed in Table 1	1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.	None

52.34-6 Design of bicycle spaces

31/07/2018
VC148

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:

- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

52.34-7 Bicycle signage

31/07/2018
VC148

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.

52.35 ROAD PROJECTS

07/11/2025
VC295

52.35-1 Purpose

07/11/2025
VC295

To facilitate the delivery of projects carried out by or on behalf of VIDA Roads.

52.35-2 Application

07/11/2025
VC295

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 Exemption from planning scheme requirements

14/05/2021
VC198

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.35 applies if the requirements of clause 52.35 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.35-4 Use and development requirements

14/05/2021
VC198

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.35, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.35-5 Consultation requirements

14/05/2021
VC198

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.35-6 Project boundary requirement

14/05/2021
VC198

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.35-7 Other pre-commencement requirements

14/05/2021
VC198

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.35.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3:
  - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of the proposed development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.35-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.
- A statement outlining landscape and urban design measures or treatments required to address any amenity impacts as part of the project.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.35-8 Native vegetation requirements

04/02/2026
VC265

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.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the Guidelines to the satisfaction of the Secretary. The biodiversity impacts from the removal, destruction or lopping of native vegetation outside the levy area to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset to the satisfaction of the Secretary.
- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary.

The timing of the offset requirement may be varied by the Secretary. The secured offset for a project may be reconciled at the completion of a project to the satisfaction of the Secretary.

Before the removal, destruction or lopping of native vegetation inside the levy area, information about the native vegetation in accordance with the application requirements 1, 5, 10 and 11 in Tables 4 and 5 of the Guidelines must be prepared to the satisfaction of the Secretary.

The requirements of this clause may be satisfied in separate components or stages of a development, but each requirement must be satisfied before the removal, destruction or lopping of native vegetation for that component or stage.

52.35-9 Preparatory use and development

14/05/2021
VC198

For the purposes of clause 52.35, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.35-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated ‘no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
  - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.35, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.36 RAIL PROJECTS

14/05/2021
VC198

52.36-1 Purpose

14/05/2021
VC198

To facilitate the delivery of projects carried out by or on behalf of Rail Projects Victoria.

52.36-2 Application

14/05/2021
VC198

This clause applies to the use and development of land for a project carried out by or on behalf of Rail Projects Victoria.

This clause does not apply to:

- The subdivision of land.
- The use or development of land for a promotion sign or a major promotion sign.
- A use or development that would not require a permit under a provision of this planning scheme but for the provisions of clause 52.36.
- A use or development to which clause 52.03 applies.
- A use or development for a project if a document has been incorporated into this planning scheme expressly for the project and the use and development is carried out on land to which the specific control contained in the document applies.
- A use or development carried out in accordance with a permit issued on or before the approval date of Amendment VC198.
- A use or development for which a planning permit is granted by the responsible authority in accordance with the provisions of this planning scheme which would apply in the absence of the exemption in clause 52.36-3.
- A development for which an environment effects statement has been, or is required by the Minister for Planning to be, prepared under the *Environment Effects Act 1978*.

The provisions of clause 52.36 prevail over any inconsistent provision in this planning scheme.

52.36-3 Exemption from planning scheme requirements

14/05/2021
VC198

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits or restricts the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to a use or development to which this clause 52.36 applies if the requirements of clause 52.36 are met.

This exemption does not apply to a requirement in clauses 45.08 or 51.03, or in any schedule to those clauses.

52.36-4 Use and development requirements

20/01/2022
VC205

The use and development of land must be carried out generally in accordance with the plans and documents approved by the Minister for Planning under clause 52.36, to the satisfaction of the Minister for Planning.

The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be carried out to the satisfaction of the relevant floodplain management authority.

The creation or alteration of access to a road in a Transport Zone 2, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the purpose of the acquisition is for a road, must be carried out to the satisfaction of the Head, Transport for Victoria.

The use and development of land in a Public Acquisition Overlay must be carried out to the satisfaction of the relevant acquiring authority.

52.36-5 Consultation requirements

14/05/2021
VC198

Before the commencement of the use or development:

- Public consultation, including consultation with relevant public authorities and the municipal council for the municipal district within which the proposed use or development will be carried out, must be carried out to the satisfaction of the Minister for Planning.
- A report that summarises the consultation undertaken and feedback received, and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

The requirements of this clause may be varied or waived by the Minister for Planning.

52.36-6 Project boundary requirement

14/05/2021
VC198

Before the use or development commences, a plan that shows the boundary of the land on which the use or development will be carried out must be prepared to the satisfaction of the Minister for Planning.

The plan may be prepared in stages and may be amended to the satisfaction of the Minister for Planning.

52.36-7 Other pre-commencement requirements

14/05/2021
VC198

Before the use or development (other than a preparatory use or development) commences, the following plans, documents and information must be prepared to the satisfaction of the Minister for Planning:

- A description of the natural, physical, cultural heritage, built heritage, landscape, vegetation, access and any other notable features, characteristics and significance of the site and surrounding area including the existing use and development of the site and surrounding land.
- A description of the project.
- An explanation of how the proposed use or development responds to the decision guidelines in this planning scheme that would have applied to an application for a permit for the proposed use or development but for the provisions of this clause 52.36.
- If the land is in the Heritage Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3:
  - An assessment of the impact of the proposed development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of the proposed development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building's environs and setting.
- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the proposed development would require a permit under the overlay but for the exemption in clause 52.36-3, an explanation of how the proposed development responds to any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.
- An explanation of how the proposed use or development is consistent with any applicable Statement of Planning Policy.

- An environmental management framework, prepared having regard to consultation undertaken with each relevant municipal council on environmental management for the use or development or measures to avoid or minimise adverse environmental impacts, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including any auditing, to ensure environmental and amenity impacts are reduced and managed during construction.
  - A plan for engagement with each relevant municipal council, the community and other stakeholders during construction, including enquiries and complaints management.

  The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.
- If the Minister for Planning has decided that an assessment under the *Environment Effects Act 1978* is not required for the proposed development and the decision is subject to conditions:
  - A report that details how each condition has been considered and addressed in the design, construction and operation of the proposed development.
  - A copy of any report, plan or other document required to be prepared under those conditions.
- Any other information the Minister for Planning considers necessary to assist the Minister's assessment of the plans and documents required to be submitted under this clause.

The requirements of this clause:

- May be satisfied in separate components or stages of a project, but each requirement must be satisfied before the commencement of the use and development for that component or stage.
- May be varied or waived by the Minister.

The plans and other documents required by this clause may be amended to the satisfaction of the Minister for Planning.

52.36-8 Native vegetation requirements

04/02/2026
VC265

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 Preparatory use and development

14/05/2021
VC198

For the purposes of clause 52.36, a preparatory use or development is a use or development required to prepare for the construction of a project or a component or stage of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme but for the exemption in clause 52.36-3.
- Works associated with investigating, testing and surveying land.
- Creation and use of construction access points, accessways and working platforms.
- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.
- Construction and use of temporary car parking.
- Construction or installation of environment and traffic controls, including designated ‘no-go' zones.
- Construction, protection, modification, removal or relocation of utility services, rail signalling, overhead and associated infrastructure.
- Salvage and relocation of cultural heritage material and other management actions required to be carried out in compliance with:
  - a cultural heritage management plan prepared and/or approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.
- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of clause 52.36, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.
- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.

52.37 CANOPY TREES

15/09/2025
VC289

PURPOSE

To protect and enhance canopy tree cover to support greener and cooler residential areas.

To maximise the retention of existing canopy tree cover where no development is proposed.

To ensure that development is designed to maximise the retention and long-term health of existing and new canopy trees and contributes to increasing canopy tree cover.

To balance the retention of existing canopy trees and residential development to meet the housing needs of Victoria's growing population.

To encourage canopy tree cover that is site and climate responsive and supports the local environment.

52.37-1 Meaning of terms

24/09/2026
VC315

In clause 52.37:

- ***average canopy diameter*** means the average of the measurements of the distance between the widest points of a tree's drip line (the outer edge of foliage) in two perpendicular directions;
- ***canopy cover*** means the area of a tree's canopy;
- ***existing canopy tree*** means a tree that has:
  - a height of at least 5 metres above ground level; and
  - an average canopy diameter of at least 4 metres;
- ***boundary canopy tree*** means an existing 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 tree proposed to be planted that is of a species and type that at maturity is expected to have:
  - a height of at least 6 metres above ground level; and
  - a canopy diameter of at least 4 metres.

52.37-2 Permit requirement

24/09/2026
VC315

A permit is required to remove, destroy or lop an existing 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 an exisitng 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 an existing canopy tree (other than a boundary canopy tree) if the site is developed with an existing dwelling.

VICSMART APPLICATION

Subject to clause 71.06, an application under this clause is a class of VicSmart application and must be assessed against this clause (excluding clause 52.37-4 and 52.37-5).

52.37-3 Canopy cover requirement

24/09/2026
VC315

The total canopy cover of trees on the site should be equivalent to at least the percentage of the site area specified in Column 2 to Table 1 corresponding to the applicable site area specified in Column 1.

The canopy cover requirement can only be met by retaining an existing canopy tree, planting a new canopy tree or a combination of both, within the site.

Table 1 - Canopy cover

Column 1 Site area	Column 2 Canopy tree requirement
1000 square metres or less	10 per cent of site area
More than 1000 square metres to 1500 square metres	15 per cent of site area
More than 1500 square metres	20 per cent of site area If the existing total canopy cover is more than 20 per cent of the site area, the tree canopy requirement is 20 per cent of the site area plus 50 per cent of the area of existing canopy cover that exceeds 20 per cent.

Example: *If the site area is 2000 square metres and the existing total canopy cover within the site is 30 per cent of the site area, the required total canopy cover is 25 per cent (20% + [(0.5 x (30% -20%)] = 25%).*

The total canopy cover required by Table 1 includes:

- The total canopy cover of an existing canopy tree, whether or not the canopy cover is wholly contained within the boundaries of the site.
- The canopy cover within the boundaries of the site of a new canopy tree and any part of the canopy cover overhanging land in a public road or public open space.
- The canopy cover of an existing canopy tree and a new canopy tree that extends below, or overhangs, an existing or proposed building located on the site.
- Any overlapping canopy cover of an existing canopy tree or a new canopy tree provided that the overlapping canopy cover is only counted once.

At least one existing canopy tree or new canopy tree is to be located within the front setback. This does not apply if it is proposed to retain one existing canopy tree that meets the minimum total canopy cover requirement and that tree is not located in the front setback.

Each new canopy tree should be planted in either deep soil or a planter that meets the following requirements:

- Deep soil must be at least the area and plan dimension specified in Columns 2 and 5, respectively, of Table 2 corresponding to the tree's expected canopy diameter at maturity specified in Column 1.
- A planter must be at least the soil volume, soil depth, and plan dimension, specified in Columns 3, 4 and 5 of Table 2 corresponding to the tree's expected canopy diameter at maturity specified in Column 1.
- If two or more new canopy trees are to be planted in the same area of deep soil, the required area of deep soil can be reduced by the percentage specified in Column 2 of Table 3 corresponding to the number of trees specified in Column 1.

Table 2 Deep soil and planter requirements

Column 1 Expected canopy diameter at maturity	Column 2 Minimum deep soil area	Column 3 Minimum tree in planter soil volume	Column 4 Minimum tree in planter soil depth	Column 5 Minimum deep soil or tree in planter plan dimension
4 metres and less than 5 metres	12 square metres	8 cubic metres	0.8 metres	2.5 metres
5 metres and less than 6 metres	16 square metres	12 cubic metres	0.8 metres	3 metres
6 metres and less than 7 metres	25 square metres	17 cubic metres	0.8 metres	3.5 metres
7 metres and less than 8 metres	36 square metres	23 cubic metres	0.8 metres	4 metres
8 metres and less than 9 metres	49 square metres	30 cubic metres	1.0 metres	4.5 metres
9 metres and less than 10 metres	64 square metres	38 cubic metres	1.0 metres	5 metres
10 metres and less than 11 metres	81 square metres	47 cubic metres	1.0 metres	5.5 metres
11 metres and less than 12 metres	100 square metres	57 cubic metres	1.0 metres	6 metres
12 metres and less than 13 metres	121 square metres	68 cubic metres	1.5 metres	6.5 metres
13 metres and less than 14 metres	136 square metres	80 cubic metres	1.5 metres	7 metres
14 metres and greater	144 square metres	92 cubic metres	1.5 metres	7.5 metres

Table 3 Reduced deep soil area

Column 1 Number of new canopy trees to be planted in same area of deep soil	Column 2 Percentage reduction of area of deep soil
2	5 per cent
3	10 per cent
4	15 per cent
5	20 per cent
6 or more	25 per cent

The following can encroach into the total area of deep soil:

- Impervious surfaces by no more than 10 per cent.
- Unroofed decking by no more than 50 per cent, provided the gap between the decking boards is at least:
  - 4 millimetres for decking boards not more than 90 millimetres wide.

- 5 millimetres for decking boards more than 90 millimetres wide.
- 8 millimetres if the deck is less than 400 millimetres above ground level.

- An eave not exceeding a width of 600 millimetres.

52.37-4 Decision exemptions

15/09/2025
VC289

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider the decision guidelines in Clause 65.

An application to which this clause applies is exempt from the requirements of:

- Section 60(1)(b), (c), (e) and (f) and (1A) of the Act.
- Section 84B(2)(b) to (ja) of the Act.

52.37-5 Exemption from notice and review

15/09/2025
VC289

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

52.37-6 Application requirements

15/09/2025
VC289

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

- A site plan, photographs or other techniques that accurately describe:
  - The location of all canopy trees and other vegetation on the site.
  - The canopy trees proposed to be removed, destroyed or lopped, including species, height and canopy diameter.
  - The location and details of existing and new canopy trees, including species, type, expected height and expected canopy diameter at maturity, soil conditions and proposed irrigation.
- An explanation of why the canopy tree is proposed to be removed, destroyed or lopped and, if applicable, an explanation of why the proposal does not meet the canopy tree requirement.
- Details of the proposed buildings or works, including plans of the development, if the canopy tree is proposed to be removed, destroyed or lopped to enable construction of a building or the construction or carrying out of works.
- An assessment of the canopy tree prepared by a suitably qualified person, if the canopy tree is proposed to be removed or lopped due to its health or stability.

If in the opinion of the responsible authority an application is not relevant to deciding the application, the responsible authority may waive or reduce the requirement.

52.37-7 Decision guidelines

24/09/2026
VC315

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.
- The suitability of providing deep soil area within an easement on the subject land.

52.37-8 Table of exemptions

24/09/2026
VC315

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.

The requirement to obtain a permit does not apply to:	
Extractive industry	A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act.
Fire protection	A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to carry out the following fire protection activities: ▪ 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 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.

The requirement to obtain a permit does not apply to:	
	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 *Geothermal Energy Resources Act 2005*.
Greenhouse gas sequestration and exploration	A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*.
Land management and directions notice	A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*.
Land use conditions	A canopy tree that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*.
Lopping and pruning for maintenance	Lopping or pruning a canopy tree, for maintenance only, provided no more than 1/3 of the foliage of the tree is lopped or pruned. 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.

The requirement to obtain a permit does not apply to:	
	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 *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (Cuscuta australis); or ▪ an environmental weed as determined by the responsible authority.
Precinct Structure Plans	A canopy tree that is to be removed, destroyed or lopped where an approved precinct structure plan is incorporated into the scheme and applies to the land.
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.
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 Transitional provisions

24/09/2026
VC315

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.

Clause 52.37 of this planning scheme, as in force immediately before the commencement of Amendment VC315, 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 GENERAL REQUIREMENTS AND PERFORMANCE STANDARDS

31/07/2018
VC148

53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

25/02/2025
VC257

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

This requirement does not apply if a public open space contribution requirement is specified in a schedule to the Built Form Overlay.

53.01-1 Exemption from public open space requirement specified in the scheme

31/07/2018
VC148

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.
- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

53.01-2 Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

31/07/2018
VC148

For the purposes of section 18(8)(a) of the *Subdivision Act 1988*, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.

24/09/2018
C88

SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0 Subdivision and public open space contribution

09/02/2023
C114hbay

Type or location of subdivision	Amount of contribution for public open space
All land in the area covered by Schedule 1 to the Development Contributions Plan Overlay at Clause 45.06 of the Hobsons Bay Planning Scheme, referred to as the Former Port Phillip Woollen Mill.	5%
All land in the area covered by Schedule 2 to the Comprehensive Development Zone at Clause 37.02 of the Hobsons Bay Planning Scheme, also referred to as Precinct 15.	7.1%
All land in the area covered by Schedule 2 to the Development Plan Overlay at Clause 43.04 of the Hobsons Bay Planning Scheme, also referred to as Precinct 16 West.	5%

53.02 BUSHFIRE PLANNING

31/07/2018
VC148

Purpose

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

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.

To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.

To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

53.02-1 Application

05/05/2026
VC248

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.

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. *Note: The objectives or measures specified for other kinds of applications under clause 53.02 do not apply to this kind of application.*	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 Operation

05/05/2026
VC248

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 Dwellings in existing settlements – Bushfire protection objective

05/05/2026
VC248

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 defendable 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 Bushfire protection objectives

05/05/2026
VC248

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, defendable space and construction objective

The setbacks, defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

Measure	Requirement
AM 3.1	A building 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:

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 defendable 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 defendable 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 Construction of buildings in bushfire prone areas* (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.

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 defendable space that meets the defendable 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.

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 defendable space in accordance with the defendable 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 defendable space that meets the defendable 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 defendable space that meets the defendable 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.

- 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 Tables of bushfire planning requirements

05/05/2026
VC248

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

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 *Construction of buildings in bushfire prone areas* (*Standards Australia*) 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

1. *The setback is measured from the building façade and is managed or meets the requirements of Table 4 to clause 53.02-5.*
2. *Slope and vegetation type are determined through the bushfire hazard site assessment.*
3. *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:

- 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.

- 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 defendable 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 defendable 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 Bushfire prone area decision guidelines

16/06/2026
VC312

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 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.

53.03 RESIDENTIAL RETICULATED GAS SERVICE CONNECTION

01/01/2024
VC250

Purpose

To prohibit residential reticulated gas connections to new dwellings, new apartment developments and new residential subdivisions.

53.03-1 Application

01/01/2024
VC250

This clause applies to an application for a permit under any provision of this scheme that is for or includes:

- construction of a new dwelling (other than a caretaker's house) or a new apartment development.
- the subdivision of land where the subdivision provides for or is for one or more purposes that include residential development.

This clause does not apply to an application for a permit that is solely for:

- the alteration or extension of an existing dwelling or apartment development.
- the subdivision of land or a building to create lots each containing an existing dwelling or apartment.
- the subdivision of land or a building to create lots each of which are intended to contain a dwelling or an apartment authorised by a planning permit that has been issued for the land.

53.03-2 Building and works requirement

01/01/2024
VC250

A permit must not be granted for construction of a new dwelling or a new apartment development that is to be connected to a reticulated gas service.

A permit granted for buildings and works in relation to an application to which this clause applies must include the following mandatory condition(s) as relevant:

For a dwelling:

"Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."

For an apartment development:

"Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed."

53.03-3 Subdivision requirement

01/01/2024
VC250

A permit must not be granted for a subdivision that includes a lot that is to be connected to a reticulated gas service. This does not apply to:

- a lot that will not be used for, or include, a dwelling; or
- a lot that contains an existing dwelling or apartment; or
- a lot where a permit has been granted for a dwelling or apartment on the land in the lot.

A permit granted for subdivision in relation to an application to which this clause applies must include the following mandatory condition:

"Any lot shown on the endorsed plan must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This does not apply to:

- *a lot that will not be used for, or include, a dwelling; or*

- *a lot that contains an existing dwelling or apartment; or*
- *a lot where a permit has been granted for a dwelling or apartment on the land in the lot.*

This condition continues to have force and effect after a statement of compliance under the Subdivision Act 1988 has been issued and the subdivision authorised by this permit has been completed."

53.03-4 Application requirements

01/01/2024
VC250

An application for a permit to which this clause applies must, in addition to those application requirements specified elsewhere in the scheme, be accompanied by details of the proposed energy provision other than a connection to a reticulated gas service, as appropriate, to the satisfaction of the responsible authority.

53.03-5 Transitional provisions

01/01/2024
VC250

The requirements of this clause introduced by Amendment VC250 do not apply to:

- An application lodged before the approval date of Amendment VC250.
- An application for an amendment to a permit under section 72 of the Act with respect to a permit issued in accordance with the above transitional provision.

53.03-6 Definitions

01/01/2024
VC250

In this clause:

Connected to a reticulated gas service means:

- In the case of a building, reticulated natural gas is directly supplied to the building. This does not include liquefied petroleum gas (LPG).
- In the case of a subdivision for residential purposes, reticulated natural gas is directly supplied to a lot. This does not include liquefied petroleum gas (LPG).

New dwelling means:

- A new building, buildings, or part of a building, constructed to be used as a dwelling (other than a caretaker's house) not including the alteration or extension of an existing dwelling.
- A new building, buildings, or part of a building, connected to an existing dwelling and constructed to be used as a separate dwelling (other than a caretaker's house), provided the use does not incorporate any part of what was the gross floor area (excluding external or party walls) of the existing dwelling.
- A new outbuilding or swimming pool associated with an existing or proposed dwelling, provided it is not within the gross floor area (excluding external or party walls) of an existing dwelling.

It does not include a new apartment development.

New apartment development means a new building, buildings, or part of a building, constructed to contain one or more apartments, whether or not any other use is provided for, but does not include the extension or alteration of, or the addition of new apartments to, an existing apartment development.

53.04 CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

31/07/2018
VC148

53.04-1 Application

31/07/2018
VC148

These requirements only apply to land in a residential zone.

53.04-2 Decision guidelines

20/01/2022
VC205

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Transport Zone 2 or Transport Zone 3.
  - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.

  - Avoid disruption to traffic flow on land in a Transport Zone 2 or Transport Zone 3.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.

53.05 FREEWAY SERVICE CENTRE

14/05/2021
VC198

Purpose

To ensure that freeway service centres are appropriately designed and located.

To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Head, Transport for Victoria.

To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.

To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.

To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

53.05-1 Requirements to be met

14/08/2023
VC236

Facilities and services

A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres

No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.

An application to use or develop land for a freeway service centre must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.02.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the person or body specified as the referral authority in Clause 66.02.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

"This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards."

Metropolitan freeway service centre adjoining a residential zone

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

53.05-2 Decision guidelines

31/07/2018
VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The Freeway Service Centres Design Guidelines, May 1997.

53.06 LIVE MUSIC ENTERTAINMENT VENUES

28/09/2020
VC183

Purpose

To recognise that live music is an important part of the State's culture and economy.

To encourage the retention of existing and the development of new live music entertainment venues.

To protect live music entertainment venues from the encroachment of noise sensitive residential uses.

To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.

To ensure that the primary responsibility for noise attenuation rests with the agent of change.

53.06-1 Application

28/09/2020
VC183

This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- A live music entertainment venue.
- A noise sensitive residential use that is within 50 metres of a live music entertainment venue.
- A noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause

This clause does not apply to:

- The extension of an existing dwelling.
- A noise sensitive residential use that is in an area specified in clause 2.0 of the schedule to this clause.

53.06-2 Meaning of terms

14/12/2023
VC253

In this clause:

- ***live music entertainment venue*** means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 3.0 of the schedule to this clause, subject to any specified condition or limitation.
- ***noise sensitive residential use*** means a community care accommodation, dwelling, residential aged care facility, residential village, retirement village, rooming house or small second dwelling.

53.06-3 Requirements to be met

04/05/2022
VC210

A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- Indoor live music entertainment venue to below the noise limits specified in the Environment Protection Regulations under the *Environment Protection Act 2017* and the incorporated Noise Protocol (Publication 1826, Environment Protection Authority, November 2020)
- Outdoor live music entertainment venue to below 45dB(A), assessed as an L_{eq} over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (consistent with EPA Publication 1826).

A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

53.06-4 Application requirements

28/09/2020
VC183

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

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.
- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.
- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.
- Details of existing and proposed acoustic attenuation measures.
- An assessment of the impact of the proposal on the functioning of live music venues.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

53.06-5 Decision guidelines

28/09/2020
VC183

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The extent to which the siting, layout, design and construction minimise the potential for noise impacts.
- Whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.
- Whether the proposal adversely affects any existing uses.
- The social and economic significance of an existing live music entertainment venue.
- The impact of the proposal on the functioning of live music venues.

18/02/2021
GC175

SCHEDULE TO CLAUSE 53.06 LIVE MUSIC ENTERTAINMENT VENUES

1.0 Areas to which Clause 53.06 does apply

04/05/2022
VC210

Name of area	Description
None specified	

2.0 Areas to which Clause 53.06 does not apply

04/05/2022
VC210

Name of area	Description
None specified	

3.0 Other venues to which Clause 53.06 applies

04/05/2022
VC210

Name of venue	Address	Condition or limitation
None specified		

53.07 SHIPPING CONTAINER STORAGE

31/07/2018
VC148

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

53.07-1 Decision guidelines

20/01/2022
VC205

Before deciding on an application to use land for shipping container storage, or construct a building or construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Transport Zone 2 or a Transport Zone 3.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.
- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.
- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.
- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.
- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.
- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.
- The adequacy of traffic measures to:

  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.

53.08 CATTLE FEEDLOT

31/07/2018
VC148

Purpose

To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

53.08-1 Requirements to be met

31/07/2018
VC148

All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.

The Code must be complied with to the satisfaction of the responsible authority.

53.09 POULTRY FARM

11/04/2019
VC156

Purpose

To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.09-1 Application

21/09/2018
VC150

This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

53.09-2 Permit not required – Outdoor range area for existing broiler farm

21/09/2018
VC150

Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

53.09-3 Requirement – Broiler farm

21/09/2018
VC150

An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

53.09-4 Exemption from notice and review

11/04/2019
VC156

The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a "Class A Broiler Farm", as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.
- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.

Table 1 Minimum setbacks

Chicken numbers	Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)	Minimum distance to land in a residential zone
1,000 chickens or less	50 metres	200 metres
More than 1,000 chickens	100 metres	400 metres

53.09-5 Notice of an application

21/09/2018
VC150

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

53.09-6 Decision guidelines

21/09/2018
VC150

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).

53.10 USES AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS

26/05/2020
VC175

Purpose

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

53.10-1 Threshold distance

26/09/2023
VC246

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

Table to Clause 53.10-1

Type of use or activity (purpose)	Threshold distance (metres)
Basic metal products	
Iron or steel production:	
▪ up to 1,000,000 tonnes per year	500
▪ exceeding 1,000,000 tonnes per year	1,000
Non-ferrous metal production:	
▪ up to 100 tonnes per year	100
▪ between 100 and 2,000 tonnes per year	300
▪ exceeding 2,000 tonnes per year	500
▪ aluminium by electrolysis	2,000
Chemical, petroleum and coal products	
Ammunition, explosives and fireworks production	1,000
Biocides production and storage	1,000
Briquette production	300
Chemical product manufacture other than listed within this group	300
Coke processing	500
Cosmetics and toiletries production	100

Type of use or activity (purpose)	Threshold distance (metres)
Fertiliser production	1,000
Gasworks	1,000
Industrial gases production	1,000
Organic and inorganic industrial chemicals production other than those listed within this group	2,000
Other petroleum or coal production	500
Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year	500
Petroleum refinery	2,000
Pharmaceutical and veterinary chemical production	1,000
Polyester and synthetic resins production, exceeding 2,000 tonnes per year	1,000
Rubber production:	
▪ synthetic rubber, exceeding 2,000 tonnes per year	1,000
▪ using either organic solvents or carbon black	300
▪ using sulphur	1,000
Soap and detergent production	500
Fabricated metal products	
Abrasive blast cleaning	500
Boiler maker	100
Metal coating and finishing	500
Structural or sheet metal production	500
Food and beverages	
Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day	500
Animal processing	1,000
Bakery (other than one ancillary to a shop):	
▪ exceeding 200 tonnes per year	100
▪ night-time operations, exceeding 200 tonnes per year	500
Flour mill, exceeding 200 tonnes per year	250
Food production other than those listed within this group:	
▪ exceeding 200 tonnes per year	250

Type of use or activity (purpose)	Threshold distance (metres)
▪ including frying, drying or roasting, exceeding 200 tonnes per year	500
Grain and stockfeed mill and handling facility	
▪ with meat meals or tallow	500
▪ no meat meals or tallow	250
Maltworks, exceeding 200 tonnes per year	500
Manufacture of milk products, exceeding 200 tonnes per year	300
Milk depot	100
Pet food production	500
Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year	500
Seafood processor, exceeding 200 tonnes per year	500
Smallgoods production:	
▪ exceeding 200 tonnes per year	100
▪ including smoking and drying, exceeding 200 tonnes per year	500
Miscellaneous manufacturing	
Printing and coating works with heated curing ovens	500
Rendering and casings works	1,000
Non-metallic mineral products	
Bitumen batching plant	1,000
Cement production in amounts:	
▪ up to 5,000 tonnes per year	300
▪ between 5,000 and 150,000 tonnes per year	500
▪ exceeding 150,000 tonnes per year	1,000
Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year:	500
Concrete batching plant, with a production rate exceeding 5,000 tonnes per year	300
Glass and glass production including glass wool and fibreglass	500
Plaster or plaster articles production, exceeding 5,000 tonnes per year	200
Rock wool manufacture	500

Type of use or activity (purpose)	Threshold distance (metres)
Solar salt manufacture	1,000
Other premises	
Automotive body, paint and interior repair	100
Rural industry handling, processing or packing agricultural produce	300
Paper and paper products	
Paper or paper pulp production:	
▪ involving combustion of sulphur or sulphur containing materials	5,000
▪ from semi-processed materials	100
▪ from prepared cellulose and rags	200
▪ by other methods than above	None specified
Recreational, personal and other services	
Dry cleaning for commercial and institutional customers, or in bulk quantities	100
Laundry for commercial and institutional customers, or in bulk quantities	100
Textiles	
Carpet backing with latex	500
Dyeing or finishing of cotton, linen and woollen yarns and textiles	300
Leather and artificial leather goods production	300
Leather tanning and dressing:	
▪ up to 250 tonnes per year	300
▪ exceeding 250 tonnes per year	2,000
Rope, cordage and twine production	100
Treatment or production of natural and synthetic fibres and textiles	1,000
Treatment or production of textiles using carbon disulphide	500
Wool scouring	200
Transport and storage	
Bus depot	200
Depot for refuse collection vehicles	100
Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes	1,000

Type of use or activity (purpose)	Threshold distance (metres)
Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:	
▪ with fixed roofs	300
▪ with floating roofs	100
Storage of wet-salted or unprocessed hides	250
Waste, recycling and resource recovery	
Chemical or oil recycling	1,000
Combustion, treatment or bio-reaction of waste to produce energy	None specified
Composting and other organic materials recycling	None specified
Container deposit scheme centre exceeding 1,000 square metres gross floor area	200
Hazardous waste storage or treatment	1,000
Landfill	None specified
Other recourse recovery or recycling operations	None specified
Soil conditioning or blending	None specified
Transfer station (other than Automated collection point and Container deposit scheme centre):	
▪ accepting organic wastes	500
▪ other	200
Used plastics treatment or processing	500
Waste tyre recycling and re-treading	1,000
Vehicle recycling or disposal	500
Water and wastewater	
Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day	None specified
Water treatment plant	None specified
Wood, wood products and furniture	
Charcoal production:	
▪ by the retort process	500
▪ other than by the retort process	1,000
Joinery	100

Type of use or activity (purpose)	Threshold distance (metres)
Sawmill, wood products and furniture	500
Wood preservation plant:	
up to 10,000 cubic metres of timber per year	100
exceeding 10,000 cubic metres of timber per year	300

53.11 TIMBER PRODUCTION

31/07/2018
VC148

53.11-1 Timber production on Crown land

31/07/2018
VC148

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the *Forests Act 1958* and the *Sustainable Forests (Timber) Act 2004*, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forest and Lands Act 1987*), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

53.11-2 Timber production to comply with the Code of Practice for Timber Production

20/03/2023
VC229

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the *Code of Practice for Timber Production 2014 (as amended 2022)* (Department of Environment, Land, Water and Planning, 2022). In accordance with Section 6(4A) of the *Planning and Environment Act 1987*, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

53.11-3 Road repairs

31/07/2018
VC148

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the *Road Management Act 2004*.

53.11-4 Decision guidelines

31/07/2018
VC148

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
- The role of native forest and plantations in:
  - Protecting water quality.
  - Conserving flora and fauna.
  - Preventing land degradation, including soil erosion, salinisation and water logging.
  - Preventing adverse effects on groundwater recharge.
- The preservation of and impact on the natural environment, cultural heritage and visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.

53.12 RACING DOG HUSBANDRY

08/08/2019
VC159

Purpose

To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

53.12-1 Requirement

08/08/2019
VC159

An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017).

This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

53.12-2 Exemption from notice and review

31/07/2018
VC148

An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in *Planning requirements for racing dog keeping and training* (Department of Environment, Land, Water and Planning, August 2017) are met.

53.13 RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

17/09/2019
VC161

Purpose

To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

53.13-1 Application

17/09/2019
VC161

This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

53.13-2 Application requirements

01/07/2021
VC203

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

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.
- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
    - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - the effect of traffic to be generated on roads.
    - the impact upon Aboriginal or non-Aboriginal cultural heritage.
    - the impact of the proposal on any species listed under the *Flora and Fauna Guarantee Act 1988* or *Environment Protection and Biodiversity Conservation Act 1999*.
    - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
    - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.

53.13-3 Decision guidelines

28/10/2022
VC224

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land.
- The impact of the proposal on the protection of declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.
- *Solar Energy Facilities Design and Development Guideline* (Department of Environment, Land, Water and Planning, October 2022).

53.13-4 Amendment VC161 transitional provisions

17/09/2019
VC161

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

53.14 RESOURCE RECOVERY

31/07/2018
VC148

Purpose

To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

53.14-1 Application

31/07/2018
VC148

This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

53.14-2 Application requirements

01/07/2021
VC203

An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Whether a Development Licence, Operating Licence, Permit or Registration is required from the Environment Protection Authority.
- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

53.14-3 Decision Guidelines

28/04/2026
VC232

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 STATEMENT OF UNDERLYING PROVISIONS

31/07/2018
VC148

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the *Planning and Environment Act 1987* if the land had not been reserved for that purpose.

53.15-01 Application

31/07/2018
VC148

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.

31/07/2018
VC148

SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

1.0

10/09/2021
C126hbay

Incorporated statement

Land	Incorporated Document
None specified	

53.16 PIG FARM

11/04/2019
VC156

Purpose

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

53.16-1 Application

21/09/2018
VC150

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

53.16-2 Exemption from notice and review

04/05/2022
VC210

An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Gilt	100 – 160	24 -30	1.8
Boar	100 – 300	24 – 128	1.6
Gestating sow	160 – 230	-	1.6
Lactating sow	160 – 230	-	2.5
Sucker	1.4 – 8	0 – 4	0.1
Weaner	8 – 25	4 – 10	0.5
Grower	24 – 55	10 – 16	1.0
Finisher	55 – 100	16 – 24	1.6

Pig Class	Mass Range (kg)	Age Range (weeks)	SPU Factor
Heavy Finisher	100 – 130	24 -30	1.8

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

53.16-3 Decision guidelines

21/09/2018
VC150

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).

53.17 RESIDENTIAL AGED CARE FACILITY

14/12/2023
VC253

Purpose

To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.

To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.

To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings or small second dwellings.

53.17-1 Application

25/02/2025
VC257

This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Housing Choice and Transport Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

53.17-2 Application requirements

26/10/2018
VC152

An application must be accompanied by:

- A site and context description.
- A design response.
- A landscape plan.

Site and context description

The site and context description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response

The design response must explain how the proposed design:

- Responds to the site and context description.
- Meets the requirements of this clause.

Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

53.17-3 Development requirements

25/02/2025
VC257

Operation

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

In the Housing Choice and Transport Zone the maximum building height must not exceed:

- 21.5 metres for land shown on a planning scheme map as **HCTZ1**.
- 16 metres for land shown on a planning scheme map as **HCTZ2**.

Street setback

Walls of buildings should be set back from streets the distance specified in the table:

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.	Not applicable
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.	Not applicable
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall	Front walls of new development fronting the side street of a corner site should be setback at

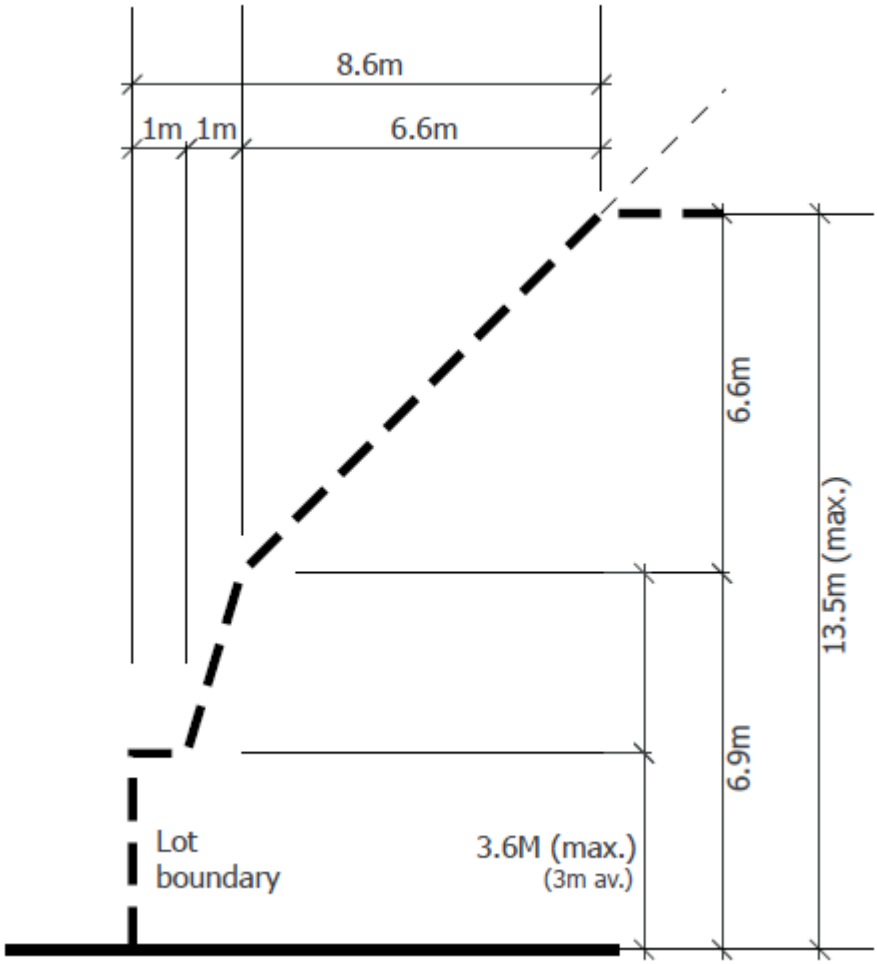
Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère. If there is no building on the abutting allotment 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 1metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.



Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports;

whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

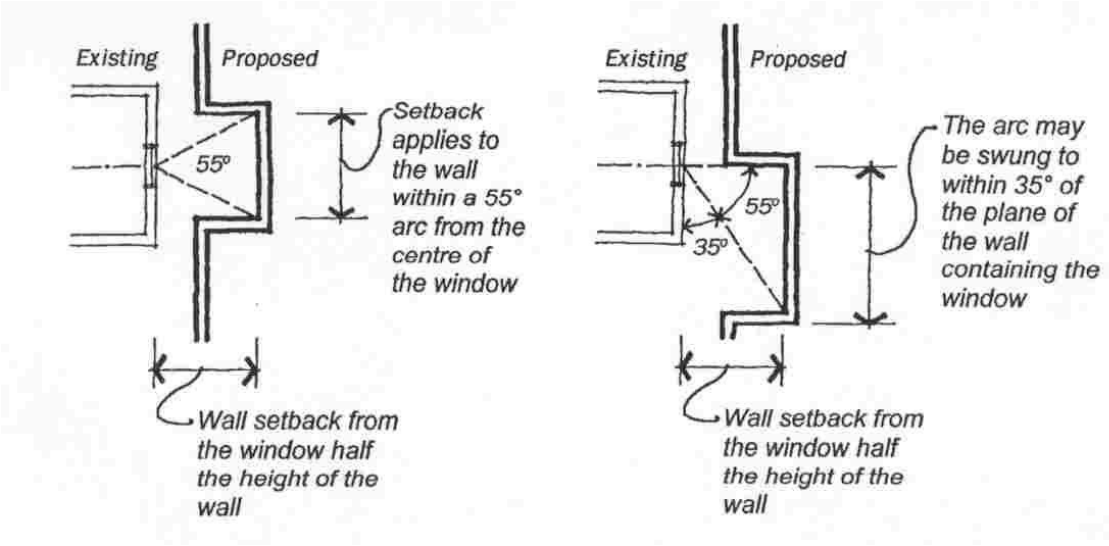
The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

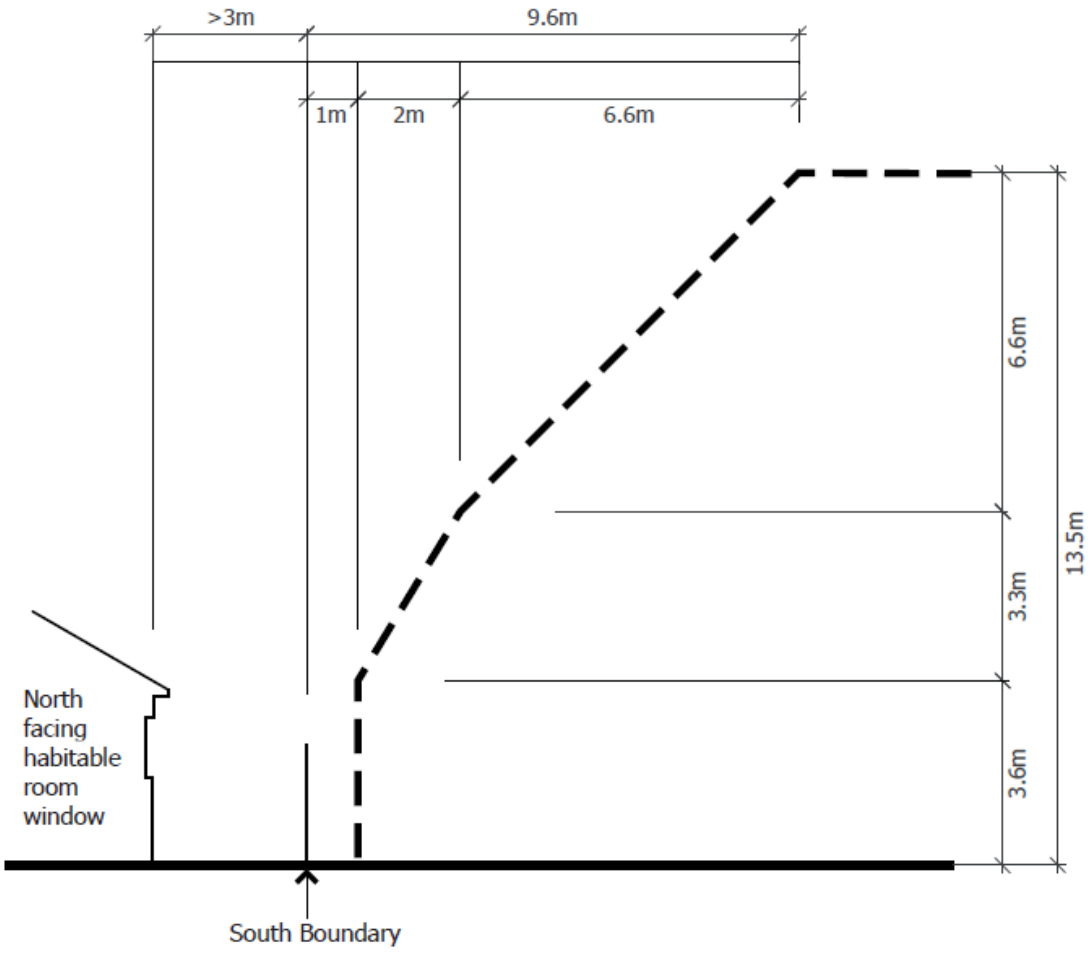
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.



North-facing windows

If a north-facing habitable room window of an existing dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.



Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling or small second dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Overshadowing solar energy systems

Buildings should be sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

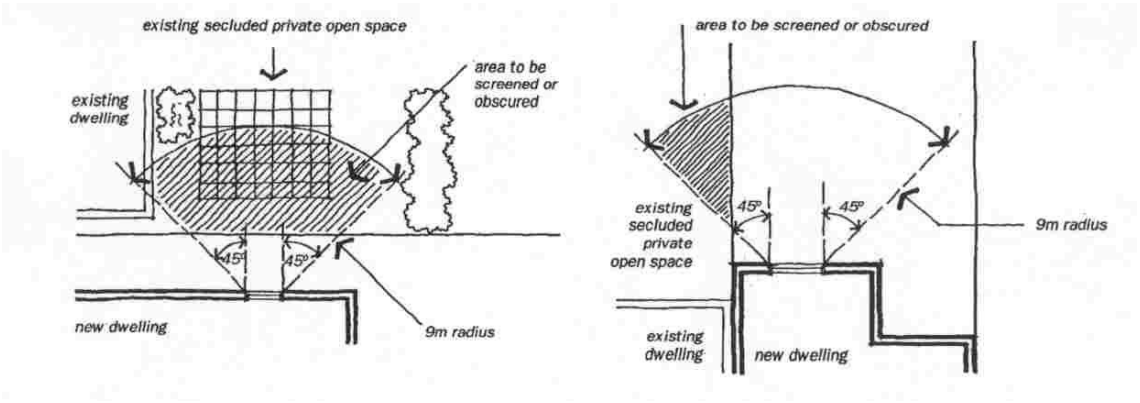
- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.



Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

Daylight to new windows

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Site coverage

The site area covered by buildings should not exceed 80 percent.

Access

Access ways should be designed to:

- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.

- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

Building entry

The main pedestrian entry to a building should:

- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

Communal open space

Accessible and useable communal open space should be provided for residents and staff.

Front fence

A front fence within 3 metres of a street should not exceed:

- 2 metres in height in streets in a Transport Zone 2; and
- 1.5 metres in height on all other streets.

53.17-4 Decision guidelines

14/12/2023
VC253

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings or small second dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

53.18 STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

26/10/2018
VC154

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

53.18-1 Application

28/10/2022
VC224

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Transport Zone 2, Transport Zone 3, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone (Part A – No precinct structure plan applies).
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Transitional provisions

Clause 53.18 of this scheme, as in force immediately before the approval date of Amendment VC224, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

53.18-2 Operation

26/10/2018
VC154

The provisions of this clause contain:

- **Objectives**. An objective describes the desired outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the objective.

  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3 Requirements

26/10/2018
VC154

An application to subdivide land:

- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4 Stormwater management objectives for subdivision

04/02/2026
VC265

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 da Vave < 0.35 m2/s (where, da = average depth in metres and Vave = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

53.18-5 Stormwater management objectives for buildings and works

04/02/2026
VC265

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 Site management objectives

26/10/2018
VC154

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.

Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

53.18-7 Decision guidelines

26/10/2018
VC154

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

53.19 NON-GOVERNMENT SCHOOLS

03/12/2019
VC165

Purpose

To facilitate new non-government schools.

To facilitate upgrades and extensions to existing non-government schools.

53.19-1 Application

04/12/2020
VC180

This clause applies to an application under any provision of this scheme, other than a VicSmart application, to use or develop land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school.

53.19-2 Exemption from review

04/12/2020
VC180

An application to which Clause 53.19 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

53.19-3 Transitional provisions

04/12/2020
VC180

Clause 53.19 of this scheme, as in force immediately before the approval date of Amendment VC180, continues to apply to:

- An application for a planning permit made before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was made before that date.

53.20 HOUSING BY OR ON BEHALF OF HOMES VICTORIA

14/12/2023
VC253

Purpose

To facilitate the development of well-designed social housing and affordable housing to meet existing and future needs.

To increase the social housing and affordable housing stock in Victoria.

To ensure the development of housing by or on behalf of the Chief Executive Officer, Homes Victoria does not unreasonably impact on the amenity of adjoining dwellings or small second dwellings.

53.20-1 Application

04/02/2026
VC265

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*.

53.20-2 Operation

14/12/2023
VC253

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

An application to construct or extend a dwelling, or to construct or extend a front fence, should meet the standards in Clause 53.20-6.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, should meet the standards in Clause 53.20-6 and Clause 53.20-7 except for the standard in:

- Clause 53.20-6.5.
- Clause 53.20-6.10 for an apartment development of 5 or more storeys.

The standards in Clause 53.20-6 and Clause 53.20-7 should normally be met. However, an alternative design solution may be considered if the responsible authority is satisfied that the proposal does not unreasonably impact on the amenity of an existing dwelling or small second dwelling on the site or on an adjacent site.

53.20-3 Exemption from planning scheme provisions

04/02/2026
VC265

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 Exemption from notice and review

20/12/2021
VC207

An application under any provision of this scheme is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

53.20-5 Application requirements

20/03/2023
VC229

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

- Where the application is made on behalf of the Chief Executive Officer, Homes Victoria, a letter from Homes Victoria confirming that the application is made on behalf of the Chief Executive Officer, Homes Victoria.
- An urban context report. The urban context report may use a site plan, photographs or other techniques and must include an accurate description of:
  - Lot boundaries, site shape, size, orientation and easements on the subject site.
  - Levels and contours of the site and the difference in levels between the site and adjoining properties.
  - The location and height of existing buildings on the site and adjoining properties.
  - The use of adjoining buildings.
  - The location of secluded private open space of adjoining properties and the location of trees, fences and other landscape elements.
  - Solar access to the site and to adjoining properties.
  - Street frontage features such as poles, street lights, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Movement systems through and around the site.
  - Any other notable feature or characteristic of the site.
  - An assessment of the characteristics of the area including:
    - Any environmental features such as vegetation, topography and significant views.
    - The pattern of subdivision.
    - Street design and landscape.
    - The pattern of development.
    - Building form, scale and rhythm.
    - Connection to the public realm.
    - Architectural style, building details and materials.
    - Significant off-site noise sources.
    - For an apartment application, the relevant NatHERS climate zones.
    - Social and economic activity.
    - Any other notable or cultural characteristics of the area.
- A design response. The design response must explain how the proposed design:
  - Responds to any relevant planning provision.
  - Derives from and responds to the urban context report.

- The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings.

53.20-6 Development standards

04/02/2026
VC265

53.20-6.1 Infrastructure

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

53.20-6.2 Street setback

Walls of buildings should be set back from streets at least the distance specified in Table 1. Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table 1 Street setback

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of either existing building on the abutting allotments facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.	The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	Not applicable.
There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.	6 metres for streets in a Transport Zone 2 and 4 metres for other streets.	Not applicable.
The site is on a corner.	If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 7 metres, whichever is the lesser.	Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.

Development context	Minimum setback from front street (metres)	Minimum setback from a side street (metres)
	If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Transport Zone 2, and 4 metres for other streets.	Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

53.20-6.3 Site coverage

The site area covered by buildings should not exceed 60 per cent.

53.20-6.4 Permeability

The site area covered by the pervious surfaces should be at least 20 percent of the site.

53.20-6.5 Energy efficiency

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing roof top solar energy systems on dwellings or small second dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing roof top solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.

53.20-6.6 Safety

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

53.20-6.7 Access

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

53.20-6.8 Parking location

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

53.20-6.9 Car parking

A minimum 0.6 car spaces should be provided to each dwelling. Car spaces may be covered or uncovered.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1.

Accessway design

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public carparks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Transport Zone 2 or a Transport Zone 3, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more carparking spaces and is either more than 50 metres long or connects to a road in a Transport Zone 2 or a Transport Zone 3.
- Have a corner splay or area at least 50 percent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

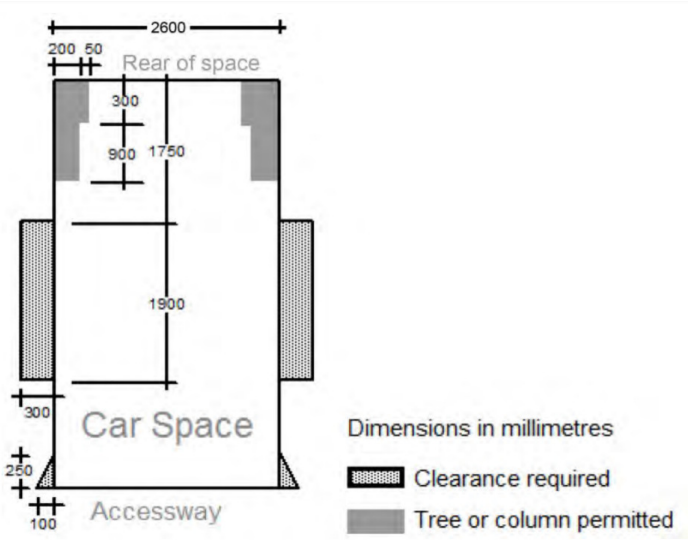
Angle of car parking spaces to access way	Accessway width	Car space width	Car space length
Parallel	3.6 m	2.3 m	6.7 m
45º	3.5 m	2.6 m	4.9 m
60º	4.9 m	2.6 m	4.9 m
90º	6.4 m	2.6 m	4.9 m
	5.8 m	2.8 m	4.9 m
	5.2 m	3.0 m	4.9 m
	4.8 m	3.2 m	4.9 m

Note: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked 'tree or column permitted' on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces



Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500mm in length must be provided between each space.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled carparking spaces may encroach into an accessway width specified in Table 2 by 500mm.

Gradients

Accessway grades must not be steeper than 1:10 (10 percent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheel base of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the carpark; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

Type of car park	Length of ramp	Maximum grade
Public car parks	20 metres or less	1:5 (20%)
	longer than 20 metres	1:6 (16.7%)
Private or residential car parks	20 metres or less	1:4 (25%)
	longer than 20 metres	1:5 (20%)

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 percent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 percent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Mechanical parking

Mechanical parking may be used to meet the carparking requirement provided:

- At least 25 percent of the mechanical carparking spaces can accommodate a vehicle height of at least1.8 metres.
- Carparking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Urban design

Ground level carparking, garage doors and accessways must not visually dominate public space.

Carparking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and art works.

Design of carparks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Safety

Car parking must be well lit and clearly signed.

The design of carparks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to carparking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.

Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level carparking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

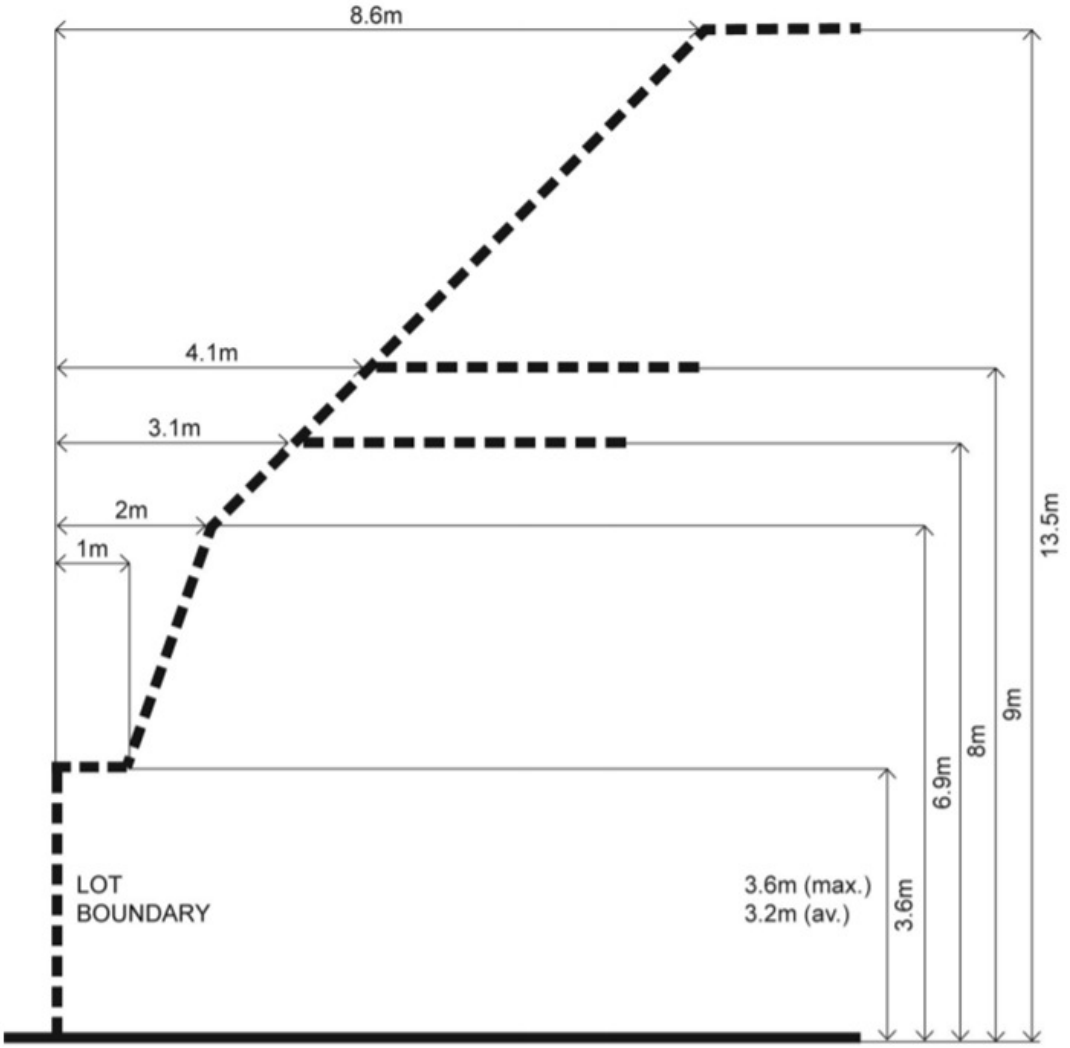
53.20-6.10 Side and rear setbacks

A new building not on or within 200mm of a boundary to a residential zone should be set back from side or rear boundaries 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. Diagram 2 details the standard.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram 2 Side and rear setbacks



53.20-6.11 Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

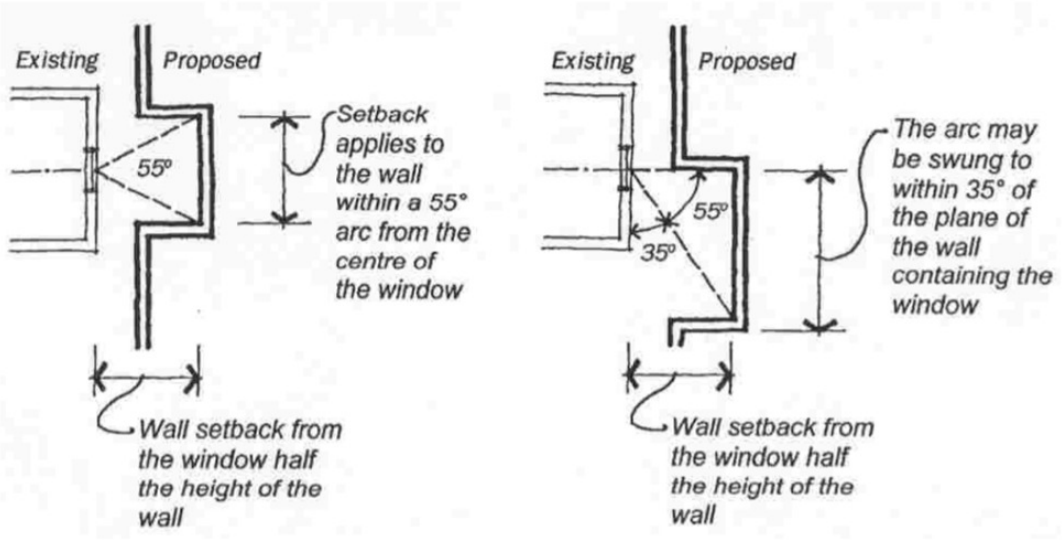
53.20-6.12 Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

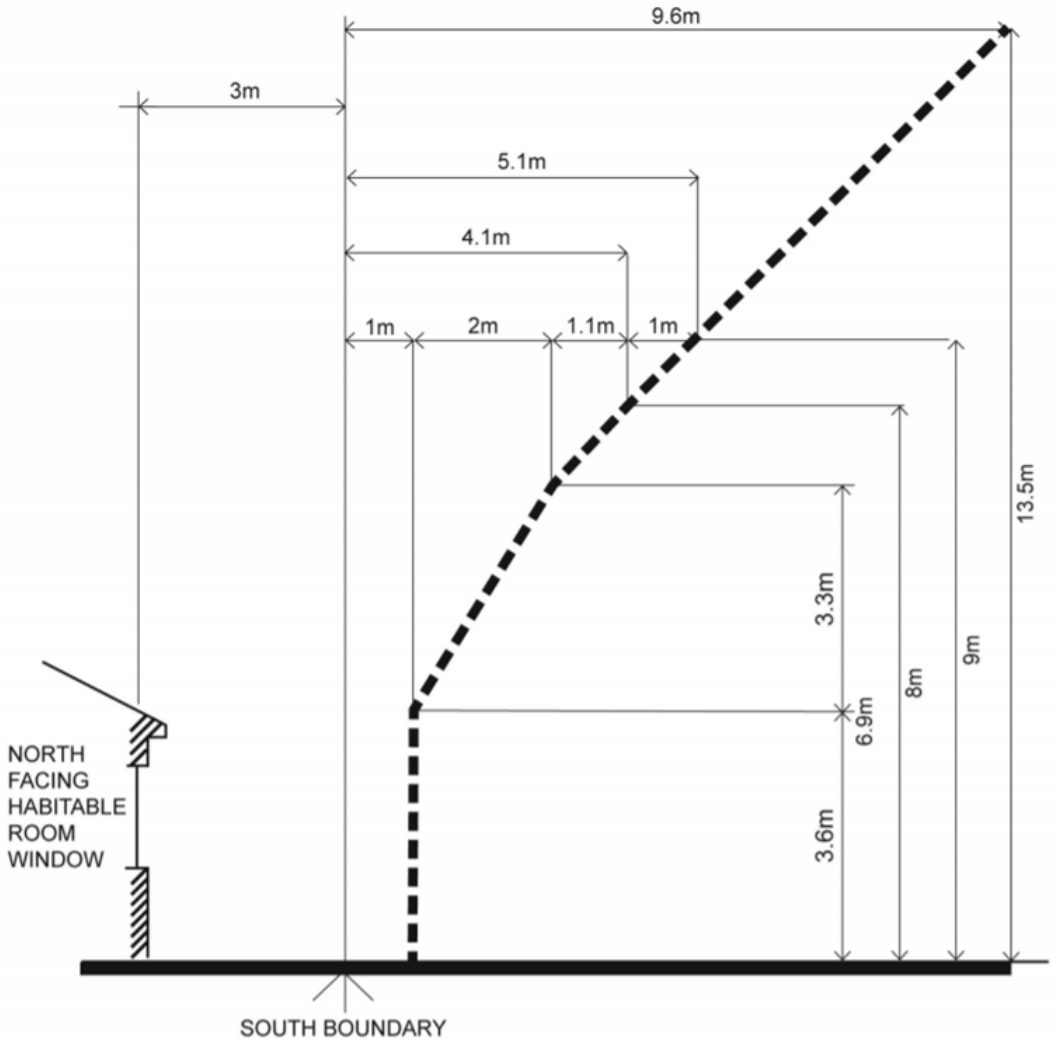
Diagram 3 Daylight to existing windows



53.20-6.13 North-facing windows

If a north-facing habitable room window of an existing dwelling or a small second dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.

Diagram 4 North-facing windows



53.20-6.14 Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling or small second dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

53.20-6.15 Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

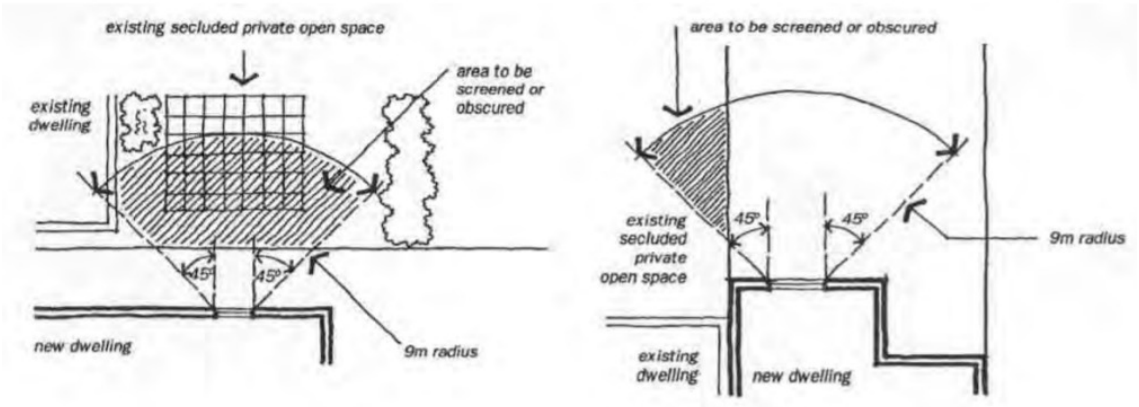
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram 5 Overlooking open space



53.20-6.16 Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

53.20-6.17 Daylight to new windows

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

53.20-6.18 Private open space

A dwelling (other than an apartment) should have private open space consisting of:

- An area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

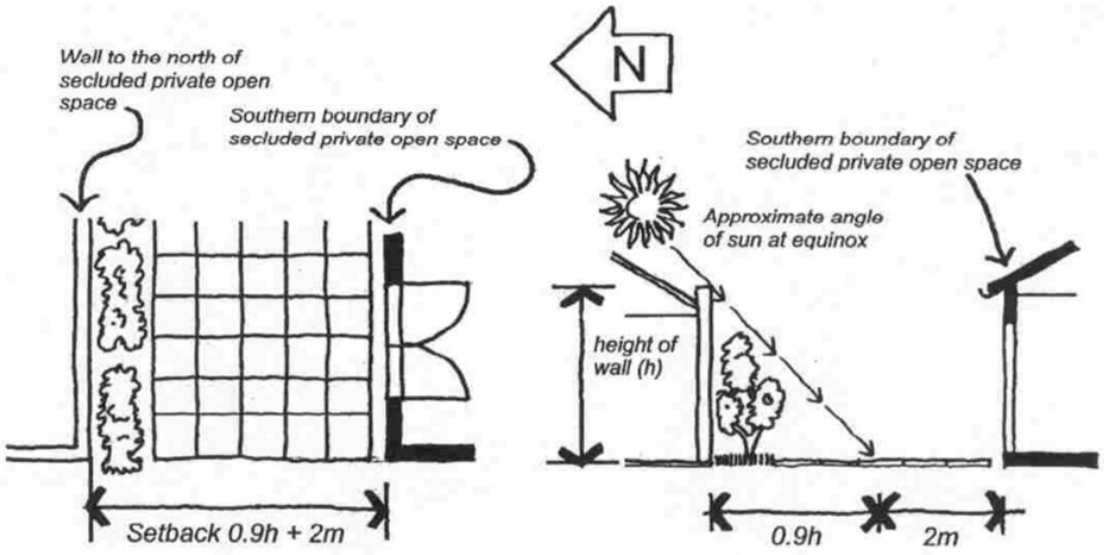
Secluded private open space may be located in the front setback if it is no more than 30% of the street frontage.

53.20-6.19 Solar access to open space

The private open space should be located on the north side of the dwelling if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

Diagram 6 Solar access to open space



53.20-6.20 Storage

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.

53.20-6.21 Front fence

A front fence within 3 metres of a street should not exceed a maximum height of:

- 2 metres for streets in a Transport Zone 2.
- 1.5 metres in other streets or where secluded private open space is proposed within the front setback, the front fence may reach a height of up to 1.8 metres for not more than 30% of the length of the boundary.

53.20-6.22 Common property

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

53.20-6.23 Site services

Development should provide space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Mailboxes and other site facilities should be adequate in size, durable, weather-protected, located for convenient access and integrated into the overall design of the development.

53.20-7 Development standards for apartments

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:

  - Located in an area of deep soil specified in Table 6. Where deep soil cannot be provided trees should be provided in planters specified in Table 6.
  - Consistent with the canopy diameter and height at maturity specified in Table 7.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures, and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table 5 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 square metres or less	5% of site area Include at least 1 Type A tree	5% of site area or 12 square metres whichever is the greater
1001 – 1500 square metres	50 square metres plus 20% of site area above 1,000 square metres Include at least 1 Type B tree	7.5% of site area
1501 – 2500 square metres	150 square metres plus 20% of site area above 1,500 square metres Include at least 2 Type B trees or 1 Type C tree	10% of site area
2501 square metres or more	350 square metres plus 20% of site area above 2,500 square metres Include at least 2 Type B trees or 1 Type C tree	15% of site area

Table 6 Soil requirements for trees

Tree type	Tree in deep soil	Tree in planter	
	Area of deep soil	Volume of planter soil	Depth of planter soil

Tree type	Tree in deep soil	Tree in planter	
A	12 square metres (min. plan dimension 2.5 metres)	12 cubic metres (min. plan dimension of 2.5 metres)	0.8 metre
B	49 square metres (min. plan dimension 4.5 metres)	28 cubic metres (min. plan dimension of 4.5 metres)	1 metre
C	121 square metres (min. plan dimension 6.5 metres)	64 cubic metres (min. plan dimension of 6.5 metres)	1.5 metres

Note: Where multiple trees share the same section of soil the total required amount of soil can be reduced by 5% for every additional tree, up to a maximum reduction of 25%

Table 7 Tree types

Tree type	Minimum canopy diameter at maturity	Minimum height at maturity
A	4 metres	6 metres
B	8 metres	8 metres
C	12 metres	12 metres

53.20-7.5 Integrated water and stormwater management

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban stormwater 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.

- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table 9.

Table 9 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

53.20-7.9 Building entry and circulation

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.

- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

53.20-7.10 Private open space

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table 10 and convenient access from a living room.
- An area on a roof of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table 10 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table 10 do not apply if at least the area specified in Table 11 is provided as living area or bedroom area in addition to the minimum area specified in Table 13 or Table 14.

Table 10 Balcony size

Dwelling type	Minimum area	Minimum dimension
Studio or 1 bedroom dwelling	8 square metres	1.8 metres
2 bedroom dwelling	8 square metres	2 metres
3 or more bedroom dwelling	12 square metres	2.4 metres

Table 11 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

53.20-7.11 Storage

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table 9.

Table 12 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

53.20-7.12 Waste and recycling

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

53.20-7.13 Functional layout

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table 13.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimension and area specified in Table 14.

Table 13 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth	Minimum area
Main bedroom	3 metres	3.4 metres	10.2 sqm
All other bedrooms	3 metres	3 metres	9 sqm

Table 14 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

53.20-7.14 Room depth

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

53.20-7.15 Windows

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

53.20-7.16 Natural ventilation

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

53.20-7.17 Integration with the street

Development should be oriented to front existing and proposed streets.

Along street frontages, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

53.20-7.18 External walls and materials

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

53.20-7.19 Wind impacts

Development should:

- not cause unsafe wind conditions specified in Table 15 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table 15 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table 15: Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than:

Unsafe	Comfortable
	▪ 3 metres per second for sitting areas. ▪ 4 metres per second for standing areas. ▪ 5 metres per second for walking areas.

53.20-9 Transitional provision

20/03/2023
VC229

The development standards for apartments at clause 53.20-6 and clause 53.20-7 introduced by Amendment VC207, do not apply to an application to construct or extend a dwelling, or to construct or extend a front fence if:

- Funded wholly or partly, under Victoria's Big Housing Build program;
- The application is made by or on behalf of the Chief Executive Officer, Homes Victoria; and
- The written confirmation from Homes Victoria or the Chief Executive Officer, Homes Victoria that the application is funded, either wholly or partly, under Victoria's Big Housing Build program has been signed before 30 June 2022.

53.20-10 Decision guidelines

14/12/2023
VC253

Before deciding on an application, the responsible authority must consider, as appropriate:

- How the proposed development responds to the site and context description.
- Where a development standard of this clause is not met, the impact on the amenity of the adjoining dwellings or small second dwellings of varying the standard.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.

53.21 STATE TRANSPORT PROJECTS

17/02/2022
VC200

Purpose

To facilitate the delivery of transport projects carried out by or on behalf of the State of Victoria.

53.21-1 Application

19/11/2025
VC297

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 Exemption from review

17/02/2022
VC200

An application to which clause 53.21 applies is exempt from the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.

53.22 SIGNIFICANT ECONOMIC DEVELOPMENT

20/09/2023
VC242

Purpose

To prioritise and facilitate the planning, assessment and delivery of projects that will make a significant contribution to Victoria's economy and provide substantial public benefit, including jobs for Victorians.

To provide for the efficient and effective use of land and facilitate use and development with high quality urban design, architecture and landscape architecture.

53.22-1 Application

04/07/2025
VC258

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under any provision of this planning scheme if all the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The conditions corresponding to a category in Table 1 are met.

This clause does not apply to an application to subdivide land, other than an application to subdivide land that includes either:

- A renewable energy facility; or
- A utility installation used to:
  - Transmit or distribute electricity; or
  - Store electricity if the installed capacity is 1 megawatt or greater.

In this clause, ***Invest Victoria*** means the body called 'Invest Victoria', established as an Administrative Office in relation to the Department of Jobs, Skills, Industry and Regions under an Order made under section 11 of the *Public Administration Act 2004*.

Table 1

Category	Condition
Category 1	The application must include a use specified in Table 2 and the conditions corresponding to that use must be met. If the application includes more than one use in Table 2, only one use must meet the corresponding conditions, except where the application includes an energy generation facility or transport terminal, in which case all conditions corresponding to those uses must be met. The application must not include a use that requires a permit if that use is not specified in Table 2. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria. This does not apply to an application for the use or development of land for an energy

Category	Condition
	generation facility, renewable energy facility, transport terminal, utility installation or warehouse (fuel depot).
Category 2	The application must include a use specified in Table 2. The conditions corresponding to that use do not need to be met. The application may also include a use that is not specified in Table 2. The proposed use or development must be: ▪ carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or ▪ funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or ▪ carried out on Crown land.
Category 3	The application must include a use specified in Table 2. The conditions corresponding to that use do not need to be met. The application may also include a use that is not specified in Table 2. The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land is of significance having regard to the: ▪ Purpose of clause 53.22. ▪ Estimated cost of development. ▪ Extent to which the development supports or implements planning policy. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.

Table 2

Use	Condition
Camping and caravan park **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**	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.

Use	Condition
Winery	
Agriculture **Data centre** **Industry** **Research centre** **Saleyards**	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least $20 million if any part of the land is in metropolitan Melbourne. ▪ At least $10 million if the land is not in metropolitan Melbourne.
Hospital **Medical centre** **Warehouse**	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least $30 million if any part of the land is in metropolitan Melbourne; or ▪ At least $10 million if the land is not in metropolitan Melbourne.
Tertiary institution	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least $30 million if any part of the land is in metropolitan Melbourne; or ▪ At least $20 million if the land is not in metropolitan Melbourne.
Transport terminal	Must only be used to transport gas.
Retail premises (other than food and drink premises)	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least $100 million if any part of the land is in metropolitan Melbourne; or ▪ At least $20 million if the land is not in metropolitan Melbourne.
Earth and energy resources industry (other than extractive industry, mining, mineral exploration, petroleum exploration, petroleum production and stone exploration)	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be at least $30 million to the satisfaction of the Minister for Planning.
Extractive industry	The estimated value of the resource to be extracted must be at least $30 million to the satisfaction of the Minister for Planning.

Use	Condition
Mining and mineral exploration	The estimated cost of the proposed development as specified in a report prepared by a suitably qualified quantity surveyor must be at least $10 million to the satisfaction of the Minister for Planning.
Office	Must meet one of the following to the satisfaction of the Minister for Planning: ▪ The combined gross floor area of all buildings (excluding basement and above ground car parking facilities) associated with the proposed use or development must be at least 10,000 square metres if any part of the land is in metropolitan Melbourne; or ▪ The combined gross floor area of all buildings (excluding basement and above ground car parking facilities) associated with the proposed use or development must be at least 5,000 square metres if the land is not in metropolitan Melbourne.
Renewable energy facility	An installed capacity of 1 megawatt or greater must be proposed.
Energy generation facility	An installed capacity of 1 megawatt or greater must be proposed. Must only be a gas-powered energy generation facility.
Utility installation (other than data centre)	A utility installation used to: ▪ Transmit or distribute electricity; or ▪ Store electricity if the installed capacity is 1 megawatt or greater; or ▪ Transmit or distribute gas. must be proposed.

53.22-2 Planning scheme requirements

04/07/2025
VC258

The responsible authority may waive or vary any of the following:

- Any building height or setback requirement.
- Any application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

This does not apply to the following:

- A decision that would be inconsistent with an approved Statement of Planning Policy for a declared area; and
- A requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

53.22-3 Application requirements

04/07/2025
VC258

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

- A report or other documents demonstrating the likely feasibility of the development.
- A report prepared by a suitably qualified quantity surveyor which specifies the estimated cost of the development.
- For extractive industry, a report prepared by a suitably qualified person specifying the estimated value of the resource to be extracted.

53.22-4 Exemption from review

20/09/2023
VC242

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

53.22-5 Decision guidelines

04/07/2025
VC258

Before deciding on an application the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.22-6 Transitional provision

20/09/2023
VC242

Clause 53.22 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
- An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.

53.23 SIGNIFICANT RESIDENTIAL DEVELOPMENT WITH AFFORDABLE HOUSING

04/07/2025
VC258

Purpose

To facilitate residential development that contributes to the provision of affordable housing to meet existing and future needs.

To facilitate the redevelopment and renewal of public housing stock to meet existing and future needs.

To facilitate residential development carried out by the State of Victoria or jointly or in partnership with the private sector, including via innovative funding, investment and partnership approaches.

To facilitate residential development with high quality urban design, architecture and landscape architecture.

To provide opportunities for non-residential use and development in association with residential development.

53.23-1 Application

04/07/2025
VC258

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under any provision of this planning scheme if all of the following are met:

- The applicant submits written confirmation that the application is an application to which this clause applies.
- The application includes the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling).
- The conditions corresponding to a category in Table 1 are met.

This clause does not apply to an application to subdivide land.

In this clause:

- ***Chief Executive Officer, Homes Victoria*** means 'Chief Executive Officer, Homes Victoria' as defined in the *Housing Act 1983* and the body corporate established under the *Housing Act 1983*.
- ***Invest Victoria*** means the body called 'Invest Victoria', established as an Administrative Office in relation to the Department of Jobs, Skills, Industry and Regions under an Order made under section 11 of the *Public Administration Act 2004*.

Table 1

Category	Condition
Category 1	The estimated cost of the proposed development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) as specified in a report prepared by a suitably qualified quantity surveyor must be one of the following to the satisfaction of the Minister for Planning: ▪ At least $50 million if any part of the land is in metropolitan Melbourne. ▪ At least $15 million if the land is not in metropolitan Melbourne.

Category	Condition
	The application includes an affordable housing report required under clause 53.23-3 that demonstrates how the affordable housing contribution specified in clause 53.23-4 (being at least 10 per cent of the total number of dwellings in the proposed development provided as affordable housing or an alternative contribution towards the provision of affordable housing) is intended to be provided if a permit is granted. Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.
Category 2	The proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) will be: ▪ carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or ▪ funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or ▪ carried out on Crown land. If the application is made by or on behalf of the Chief Executive Officer, Homes Victoria, the proposed development includes at least 10 dwellings.
Category 3	The Minister for Planning has advised in writing that they are satisfied the proposed use or development of land for accommodation (other than camping and caravan park, group accommodation, residential hotel and small second dwelling) is of significance having regard to: ▪ The purpose of clause 53.23. ▪ Whether a contribution towards affordable housing is proposed. ▪ The estimated cost of the proposed development. ▪ The location of the proposed development and whether it has convenient access to jobs, services, infrastructure and community facilities. ▪ Whether the design, liveability and sustainability of the proposed development is exemplary.

Category	Condition
	Information demonstrating the likely feasibility of the proposed development is provided to the satisfaction of the Minister for Planning. This must include written advice from the Chief Executive Officer or delegate, Invest Victoria.

53.23-2 Planning scheme requirements

16/06/2026
VC312

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 54.02-2, 55.03-5, 57.03-4 and 58.05-3 of this planning scheme do not apply to:

- an application for a proposed development funded, or partly funded, by the State of Victoria or the Commonwealth; or
- an application made by or on behalf of the Chief Executive Officer, Homes Victoria.

An application for a proposed development that will be funded, or partly funded, by the State of Victoria or the Commonwealth, or an application made by or on behalf of the Chief Executive Officer, Homes Victoria should meet the following standards:

- A minimum 0.6 car parking spaces should be provided to each dwelling. Car parking spaces may be covered or uncovered. If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number greater than 1. Car parking for other land uses in the proposed development must be to the satisfaction of the responsible authority.
- A dwelling (other than an apartment) should have private open space consisting of:
  - an area of secluded private open space with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room; or

- a balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room; or
- a roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

- Secluded private open space may be located in the front setback if it is no more than 30 per cent of the street frontage.

53.23-3 Application requirements

04/07/2025
VC258

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

- A report prepared by a suitably qualified quantity surveyor which specifies the estimated cost of the proposed development of land for accommodation to the satisfaction of the Minister for Planning.
- A report (affordable housing report) that outlines how a proposed contribution to the provision of affordable housing is intended to be provided should a permit be granted, including the following:
  - The nature of the proposed contribution.
  - The methodology for the delivery of the proposed contribution.
  - The proposed monetary value of the contribution (as a percentage of the estimated cost of the proposed development of land for accommodation).
- If the application includes a non-residential use or development, information about the purpose of the use and the types of activities proposed to be carried out.
- An application for a use or development that will be funded, or partly funded, by Homes Victoria must be accompanied by a letter from the Chief Executive Officer or delegate, Homes Victoria, consenting generally or conditionally to the application being made.
- An application for a use or development that will be funded, or partly funded, by the Commonwealth, must be accompanied by a letter from the Chief Executive Officer, Housing Australia confirming the funding.

53.23-4 Permit condition requirement

04/07/2025
VC258

The responsible authority must include the following condition in deciding to grant a permit:

"Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:

- *At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.*
- *An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.*

The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable)."

The above requirement to include a condition does not apply if any of the following apply:

- The responsible authority is satisfied that an agreement exists with the State of Victoria or a public authority for the provision of at least 10 per cent of the total number of dwellings in the development as affordable housing and:
  - the use or development will be carried out by or on behalf of, or jointly or in partnership with, the State of Victoria or a public authority; or
  - the development will be funded, or partly funded, by the State of Victoria, the Commonwealth or a public authority; or
  - the development will be carried out on Crown land.
- The conditions corresponding to Category 3 in Table 1 are met and a contribution towards affordable housing is not proposed.

53.23-5 Exemption from review

20/09/2023
VC242

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the Act.

53.23-6 Decision guidelines

04/07/2025
VC258

Before deciding on an application the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.23-7 Transitional provision

20/09/2023
VC242

Clause 53.23 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC242.
- An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC242.

53.24 FUTURE HOMES

22/09/2023
VC243

Purpose

To facilitate apartment developments that incorporate exemplar designs approved under the Future Homes project.

To facilitate apartment developments that increase the density and diversity of housing to respond to Victoria's population growth.

To facilitate apartment developments that are exemplary in their design, liveability and sustainability.

53.24-1 Application

28/02/2025
VC274

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

This clause applies to an application under clause 32.08-7 of the General Residential Zone or clause 32.10-5 of the Housing Choice and Transport Zone to construct two or more dwellings on a lot, or to construct a front fence in association with the construction of two or more dwellings on a lot, if all of the following requirements are met:

- The development must be an apartment development.
- The design of the apartment development must use a licenced exemplar design approved under the Future Homes project overseen by the Department of Transport and Planning.
- Any part of the land:
  - Must be within 800 metres of a passenger railway station; or
  - Must be within 800 metres of a metropolitan, major or neighbourhood activity centre in Metropolitan Melbourne; or
  - Must be within 800 metres of an activity centre outside Metropolitan Melbourne; and
  - Must not be within a Heritage Overlay or Neighbourhood Character Overlay.

For the purposes of this clause, the distance from an activity centre must be measured from:

- the boundary of the activity centre specified, shown, described or otherwise indicated in this planning scheme; or
- if the boundary of the activity centre is not specified, shown, described or otherwise indicated in this planning scheme, the boundary of any Activity Centre Zone, commercial zone, Mixed Use Zone or Precinct Zone.

For the purposes of this clause, the distance from a passenger railway station must be measured from the closest point to a station platform.

53.24-2 Meaning of terms

26/09/2023
VC246

An activity centre outside Metropolitan Melbourne means a:

- Central Activity District
- Central Business District
- City Centre
- Major Activity Centre
- Primary Activity Centre
- Principal Activity Centre
- Principal Centre

- Regional Activity Centre
- Regional Centre
- Regional Retail Centre

53.24-3 Pre-application referral requirements

25/02/2025
VC257

If an application under clause 32.08-7 or 32.10-5 is required to be referred in accordance with section 55 of the Act to a referral authority specified in clause 66, the following requirements must be met:

- The development for which the application is made must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the development.

If the proposed development requires a permit under a provision of this planning scheme other than clause 32.08-7 of the General Residential Zone or clause 32.10-5 of the Housing Choice and Transport Zone and an application for that permit is required to be referred in accordance with section 55 of the Act to a referral authority specified in clause 66, the following requirements must be met:

- The development for which the application is made must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the development.

53.24-4 Application requirements

03/12/2024
VC269

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.
- A landscape plan.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation, levels and easements.
- The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
- The use of surrounding buildings.
- The location of private open space and habitable room windows of surrounding properties that have an outlook to the site.
- Solar access to the site and adjoining properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The pattern of development of the neighbourhood, including the average street setback for the development site (approximately 150 metres either side).
- The location of local shops, public transport services and public open spaces within walking distance.

- Movement systems through and around the site.
- Any other notable features or characteristics of the site and area.

Design response

The design response must address the development standards of clause 53.24 and the principles, objectives, requirements and targets of the *Building future homes adaptation guide* (Department of Transport and Planning, 2023).

Landscape plan

The landscape plan must include:

- The location of significant trees existing on and adjacent to the site and any significant trees removed from the site 12 months prior to the application being made.
- The location and details of proposed vegetation, including canopy trees on the site.
- A planting schedule that demonstrates compliance with the deep soil and canopy cover requirements.
- Details of the soil type, drainage patterns and irrigation system of the site.

53.24-5 Exemption from planning scheme requirements

31/03/2025
VC267

The requirements of clauses 45.09, 52.06 and 52.34 of the planning scheme do not apply to a development under this clause.

An application is exempt from any application requirement in the General Residential Zone or any application requirements specified in a schedule to the General Residential Zone or the Housing Choice and Transport Zone.

An application is exempt from and is not required to meet the requirements of clauses 55, 57 and 58.

Matters to be considered

In deciding an application, the responsible authority must not consider, and is exempt from considering:

- The Municipal Planning Strategy and Planning Policy Framework.
- The purpose of the General Residential Zone or the Housing Choice and Transport Zone.
- Any decision guideline in the General Residential Zone, or a schedule to the General Residential Zone or the Housing Choice and Transport Zone.
- The decision guidelines in clause 65.

53.24-6 Exemption from review

25/02/2025
VC257

An application under clause 32.08-7 or 32.10-5 is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

53.24-7 Development standards

03/12/2024
VC269

A development must meet all of the following development standards.

53.24-7.1 Car parking

03/12/2024
VC269

Car parking spaces must be provided at:

- a rate of at least 0.6 spaces per dwelling; rounded down to the closest whole number or
- if the land is in a Parking Overlay and the overlay specifies a lower car parking rate for a dwelling, the applicable rate in the overlay.

Mechanical parking may be used to meet the car parking requirement provided the dimensions of the mechanical parking system meets the standards for a B99 vehicle in Australian Standard AS/NZS 2890.1:2004, Parking facilities - Off-street car parking (Standards Australia, 2004).

53.24-7.2 Bicycle parking

03/12/2024
VC269

Bicycle parking spaces must be provided at a rate of:

- at least 1 space per dwelling for residents.
- at least 1 space per 5 dwellings for visitors.

At least 20 percent of bicycle parking spaces for residents must be provided as horizontal spaces.

All visitor bicycle parking spaces must be provided as horizontal spaces and be located to provide convenient access from surrounding bicycle routes and main building entrances.

53.24-7.3 Communal open space

03/12/2024
VC269

A development of 10 or more dwellings must provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development must also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and consist of multiple separate areas of communal open space.

Each area of communal open space must be:

- Accessible to all residents.
- Of a useable size, shape and dimension.
- Capable of efficient management.
- Located to:
  - Provide passive surveillance, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Limit overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts on new and existing dwellings.

Any area of communal outdoor open space must be landscaped and where possible include canopy cover and trees.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary area of communal outdoor open space must receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

53.24-7.4 Environmentally sustainable design

24/09/2026
VC315

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.

- A score of 100 per cent using the Blue Factor stormwater management tool.

Transitional Provisions

Clause 53.24-7.4 of this planning scheme, as in force immediately before the commencement of Amendment VC315, 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.

53.24-7.5 Accessibility

03/12/2024
VC269

At least 50 per cent of dwellings must be designed to meet all of the following accessibility design standards.

Dwelling access

- A slip resistant continuous step-free pathway must be provided from the street and car parking area to the dwelling entry door.
- The pathway must have a minimum clear width of 1.2 metres, no steps, a maximum gradient of 1:14 and a cross fall not steeper than 1:40.
- Where ramps with landings are required as part of the pathway, landings must be no less than 1.2 metres in length, and gate and door swings must not overlap this minimum landing requirements.
- Landings must be provided at the start and end of ramps.
- Where there is a change in height of 190 millimetres or less at an apartment entrance, a step ramp with a gradient not steeper than 1:10 may be used.
- Car parking spaces must provide:
  - A level surface with a gradient not exceeding 1:40 in any direction.
  - A vertical clearance over the parking space of at least 2.5 metres free of obstructions (the 2.5 m clearance is not required where mechanical parking is used).

Dwelling entrance

- The entrance to the dwelling must have:
  - A clear opening width of at least 850 millimetres.
  - A level, and step-free transition and threshold.
  - A level landing on the arrival side of the entrance door of at least 1.35 metres x 1.35 metres.

Internal doors and passageways

- Doorways to rooms must have a clear opening width of at least 850 millimetres.
- Doorways to rooms must have a level, step-free transition and threshold.
- The dwelling must have clear passageways and corridors with a minimum width of 1.2 metres.

Toilets and showers

- At least one toilet must be located on the entry level of the dwelling and must have:
  - A secure fixing surface to enable future installation of grab rails.
  - A minimum 1.2 metre x 1.2 metre circulation area located in front of the toilet that is clear of the basin and the door swing.

- The toilet must be located in:
  - the corner of the room if it is in a bathroom with the centreline of the pan 450 to 460 millimetres from the adjacent wall; or
  - a room with a minimum width of 1.2 metres if it is in a room separate to the bathroom.
- A least one bathroom must be located on the entry level of the dwelling and must have a hobless, step-free shower that:
  - Has a removable shower screen.
  - Has a minimum clear internal dimensions of 900 millimetres x 900 millimetres.
  - Has a minimum 1.2 metres x 1.2 metres clear circulation area located in front of the shower.
  - Is located in the corner of the room to enable future installation of grab rails.
- A secure fixing surface must be provided at all toilets, showers and baths to enable future installation of grab rails. This requirement may be met by either:
  - walls that are constructed of solid masonry or concrete; or
  - providing additional wall framing or structure lining behind the finished wall surface.

Kitchen laundry

- The kitchen and laundry must have a minimum 1.2 metres clear circulation area in front of appliances and benches.
- Floor finishes must extend under appliances and cabinets to allow for future modifications.

53.24-7.6 Building entry and circulation

03/12/2024
VC269

Common corridors and passageways providing access to a dwelling entry must have a minimum width of 1.2 metres.

Entries to dwellings and buildings must:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings must:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
- Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

53.24-7.7 Storage

03/12/2024
VC269

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
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

53.24-7.8 Functional layout

03/12/2024
VC269

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 depht
Studio or 1 bedroom dwelling	3.3 metres	10 square metres
2 or more bedroom dwelling	3.6 metres	12 square metres

53.24-7.9 Room depth

03/12/2024
VC269

Single aspect habitable rooms must not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth must be measured from the external surface of the habitable room window to the rear wall of the room.

53.24-7.10 Windows

03/12/2024
VC269

Habitable rooms must have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area must be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

53.24-7.11 Natural ventilation

03/12/2024
VC269

The design and layout of dwellings must maximise openable windows, doors or other ventilation devices in external walls of the building.

All dwellings must provide effective natural ventilation. Effective natural ventilation includes cross ventilation, single sided ventilation or mechanically assisted ventilation.

For cross ventilation:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path must be measured between the ventilation openings on different orientations of the dwelling.

53.24-7.12 Deep soil and canopy cover

03/12/2024
VC269

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	10% of site area

Site area	Canopy area	Deep soil
	Include at least 2 Type B trees or 1 Type C tree	
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 Decision guidelines

03/12/2024
VC269

Before deciding on an application the responsible authority must consider the purpose of this clause.

53.25 GREAT DESIGN FAST TRACK

07/04/2025
VC280

Purpose

To facilitate innovative dwelling, apartment and mixed-use residential development.

To facilitate development that increases the density and diversity of dwellings to respond to Victoria's population growth.

To facilitate the development of dwellings with convenient access to public transport, and community, retail and other services.

To facilitate development that is of a high quality in its design, liveability and sustainability.

53.25-1 Application

16/06/2026
VC312

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 a Deputy Secretary of the Department of Jobs, Skills, Industry and Regions or delegate to the satisfaction of the Minister for Planning.

53.25-2 Planning scheme requirements

07/04/2025
VC280

The responsible authority may waive or vary any of the following in relation to an application or a proposed use or development:

- A minimum garden area requirement.
- Any building height or setback requirement.
- A condition opposite a use in Section 2 in a zone or a schedule to a zone.

A decision to waive or vary any of the matters above does not apply:

- where it would be inconsistent with an approved Statement of Planning Policy for a declared area; or
- to a requirement in clauses 45.07, 45.08 or 51.03, or in any schedule to those clauses.

The responsible authority may waive or vary any of the requirements of clauses 45.09, 52.06 and 52.34 of this planning scheme in relation to an application or a proposed use or development.

An application is exempt from an application requirement in this planning scheme if in the opinion of the responsible authority the requirement is not relevant to the assessment of the application.

Clauses 52.20, 53.20, 53.23 and 53.24 of this planning scheme do not apply to an application to which this clause applies.

53.25-3 Application requirements

07/04/2025
VC280

If the application includes a non-residential use or development, information about the purpose of the use and the types of activities proposed to be carried out must accompany the application, as appropriate.

53.25-4 Exemption from review

07/04/2025
VC280

An application under any provision of this planning scheme is exempt from the decision requirements of sections 64(1), (2) and (3), and the review rights of section 82(1) of the Act.

53.25-5 Decision guidelines

07/04/2025
VC280

Before deciding on an application, in addition to the decision guidelines elsewhere in this planning scheme including in clause 65, the responsible authority must consider, as appropriate:

- The purpose of the clause.
- The views of the Office of the Victorian Government Architect.

53.25-6 Transitional provision

07/04/2025
VC280

Clause 53.25 does not apply to:

- An application for a permit lodged before the approval date of Amendment VC280.
- An application for an amendment of a permit under section 72 of the Act if the original permit application was lodged before the approval date of Amendment VC280.

54
24/09/2026
VC315

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, Neighourhood Character Overlay, associated with one dwelling on a lot, in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Mixed Use Zone or Township Zone.

The objectives contained in clauses 54.02-8 and 54.03-5 do not apply to one dwelling on a lot.

The objectives contained in clauses 54.02-7, 54.03-1, 54.03-3, 54.05-3 and 54.05-4 do not apply to a small second dwelling.

Operation

The provisions of this clause contain:

- **Objectives**. An objective describes the outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the corresponding objective.

  If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard in the zone or a schedule to the zone applies.

  If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

  If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.
- **Decision guidelines.** If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

Requirements

A development must meet all of the applicable objectives contained in this clause.

If a development meets a standard:

- The corresponding objective is deemed to be met;
- The responsible authority is not required to consider the corresponding decision guidelines.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Exemptions

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:

- The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.
- The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.
- The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

An application to which this clause applies is exempt from the requirements of:

- Section 60(1)(b), (1)(e), (1)(f), (1A)(b) to (h), (1A)(j) and (1B) of the Act; and
- Section 84B(2)(b) to (g) and (2)(i) to (jb) of the Act.

54.01 APPLICATION REQUIREMENTS

08/09/2025
VC282

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

54.01-1 Site description

08/09/2025
VC282

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- The built form, scale and character of surrounding development including front fencing.
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
- The use of surrounding buildings.
- The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
- Solar access to the site and to surrounding properties.
- Location of existing trees 5 metres in height or greater, with a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, on the site.
- Any cut and filled areas of soil, where known.
- Street frontage features such as poles, services, street trees and kerb crossovers.
- The location of any existing domestic solar energy system on the roof of a dwelling, apartment development or residential building on surrounding properties.

If in the opinion of the responsible authority a requirement of the site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

54.01-2 Design response

24/09/2026
VC315

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 canopy trees and vegetation, including species, that responds to the site's environment, location and geographic factors.
- Location of site services, clothes drying and storage.

If in the opinion of the responsible authority a design response requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

54.02 NEIGHBOURHOOD CHARACTER

08/09/2025
VC282

54.02-1 Street setback objective

24/09/2026
VC315

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 new 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.	The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether the siting of the building is constrained by the shape, dimensions, slope or other conditions of the site.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- Whether a different setback affects the ability to retain or plant canopy trees.

54.02-2 Building height objective

24/09/2026
VC315

To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

Standard A2-2

The maximum building height of a new building 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 of a new building does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

54.02-3 Side and rear setbacks objective

08/09/2025
VC282

To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

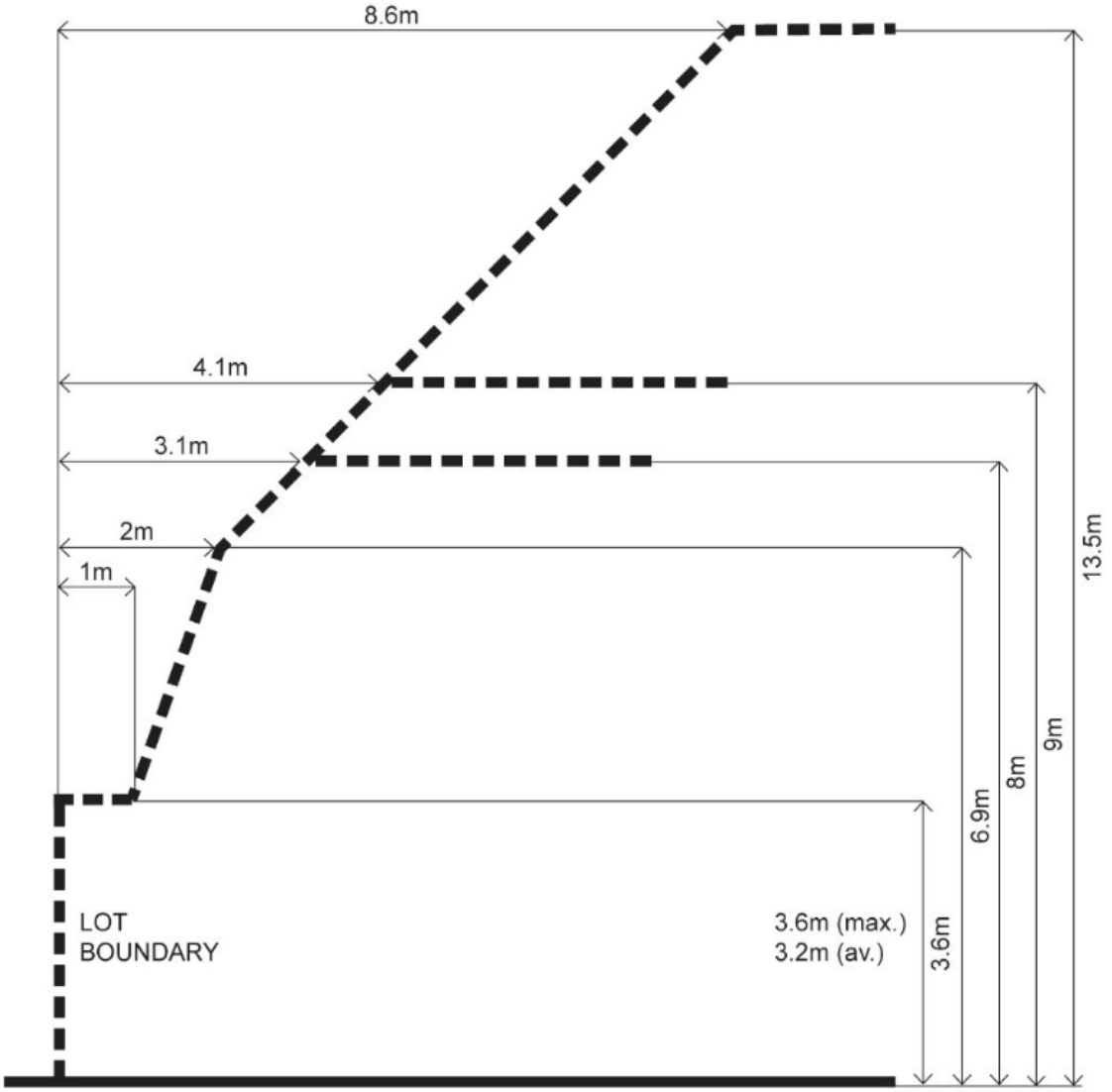
Standard A2-3

A new building not on or within 200mm of a boundary is set back from side or rear boundaries at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.

Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.

Diagram A2-3 Side and rear setbacks



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and private open space of existing dwellings or small second dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.
- Whether a different setback in a rear yard affects the ability to retain or plant canopy trees.

54.02-4 Walls on boundaries objective

08/09/2025
VC282

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard A2-4

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings or small second dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

54.02-5 Site coverage objective

08/09/2025
VC282

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Standard A2-5

The site area covered by buildings does not exceed:

- The maximum site coverage specified in a schedule to the zone; or
- If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table A2-5.

If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table A2-5.

Table A2-5 Site coverage

Zone	Area
Neighbourhood Residential Zone Township Zone	60 per cent
General Residential Zone	65 per cent
Residential Growth Zone Mixed Use Zone Housing Choice and Transport Zone	70 per cent

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

54.02-6 Tree canopy objectives

24/09/2026
VC315

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

In this standard:

- ***average canopy diameter*** means the average of the measurements of the distance between the widest points of a tree's drip line (the outer edge of foliage) in two perpendicular directions;
- ***existing canopy tree*** means a tree that has:
  - a height of at least 5 metres above ground level; and
  - an average canopy diameter of at least 4 metres; and
  - a trunk that is located at least 4 metres from existing and proposed buildings.
- ***new canopy tree*** means a tree proposed to be planted that is of a species and type that at maturity is expected to have:
  - a height of at least 6 metres above ground level; and
  - a canopy diameter of at least 4 metres.

The total number of canopy trees provided with the development is equivalent to at least the number of trees specified in Column 2 to Table A2-6.1 corresponding to the applicable site area specified in Column 1.

Table A2-6.1 Minimum canopy tree requirement

Column 1 Site area	Column 2 Canopy 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

The canopy tree requirement can only be met by retaining an existing canopy tree, planting a new canopy tree or a combination of both, within the site.

The total number of canopy trees required by Table A2-6.1 includes:

- An existing canopy tree and a new canopy tree, whether or not the canopy cover is wholly contained within the boundaries of the site.
- An existing canopy tree and a new canopy tree with a canopy that extends below, or overhangs, an existing or proposed building located on the site.

At least one existing canopy tree or new canopy tree is to be located within the front setback. This does not apply if it is proposed to retain one existing canopy tree that meets the minimum tree requirement and that tree is not located in the front setback.

Each new canopy tree is planted in either deep soil or a planter that meets the following requirements:

- Deep soil must be a minimum area of 12 square metres with a minimum plan dimension of 2.5 metres.
- A planter must be a minimum volume of 8 cubic metres with a minimum depth of 0.8 metres of planter soil.
- If two or more new canopy trees are to be planted in the same area of deep soil, the required area of deep soil can be reduced by the area specified in Column 2 of Table A2-6.2 corresponding to the number of trees specified in Column 1.

Table A2-6.2 Reduced deep soil area

Column 1 Number of new trees to be planted in same area of deep soil	Column 2 Minimum area of deep soil
2	22.8 sqm
3	32.4 sqm

The following can encroach into the total area of deep soil:

- Impervious surfaces by no more than 10 per cent.
- Unroofed decking by no more than 50 per cent, provided the gap between the decking boards is at least:
  - 4 millimetres for decking boards not more than 90 millimetres wide.
  - 5 millimetres for decking boards more than 90 millimetres wide.
  - 8 millimetres if the deck is less than 400 millimetres above ground level.
- An eave not exceeding a width of 600 millimetres.

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.
- The suitability of providing deep soil area within an easement on the subject land.

54.02-7 Front fences objective

24/09/2026
VC315

To encourage front fence design that responds to the existing or preferred neighbourhood character.

Standard A2-7

Either the development:

- does not include a new, or an extension to an existing, front fence within three metres of a street; or
- includes a new, or extension to an existing, front fence within 3 metres of a street if the height of the fence does not exceed:
  - The maximum height specified in a schedule to the zone, or
  - If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2-7.

Table A2-7 Maximum front fence height

Street context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

This standard does not apply to a small second dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

54.02-8 Building setback for small second dwellings objective

08/09/2025
VC282

To ensure that small second dwellings are sited to respond to the existing or preferred neighbourhood character.

Standard A2-8

Walls of a small second dwelling are set back behind the front wall of the existing dwelling on the lot, facing the frontage.

Porches, pergolas, verandahs, and eaves do not encroach into the setback of this standard.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The visual impact of the building when viewed from the street and from adjoining properties.

54.03 LIVEABILITY

08/09/2025
VC282

54.03-1 Street integration objective

08/09/2025
VC282

To integrate the layout of development with the street to support the safety and amenity of residents.

Standard A3-1

Where a development fronts a street, a vehicle accessway or abuts public open space, passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.

This standard does not apply to a small second dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

54.03-2 Private open space objective

08/09/2025
VC282

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A3-2

A dwelling or small second dwelling has private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimension is specified in a schedule to the zone, a dwelling has private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 20 per cent of the area of the lot, but not less than 25 square metres. At least one part of the private open space consists of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres width; or
- A balcony with at least the area and dimensions specified in Table A3-2; or
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.

If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;

- The area and dimensions specified for private open space and secluded private open space must be less than the area and dimensions specified in this standard, and
- The area and dimensions specified for a balcony or an area on a roof must be less than the area and dimensions specified in this standard.

A small second dwelling has a secluded private open space consisting of an area of 8 square metres with a minimum dimension of 1.6 metres and convenient access from a living area, dining area or kitchen.

If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.

Where ground level private open space is provided an area for clothes drying is provided.

Table A3-2 Private open space for a balcony

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 bedroom dwelling	12 square metres	2.4 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

54.03-3 Solar access to open space objective

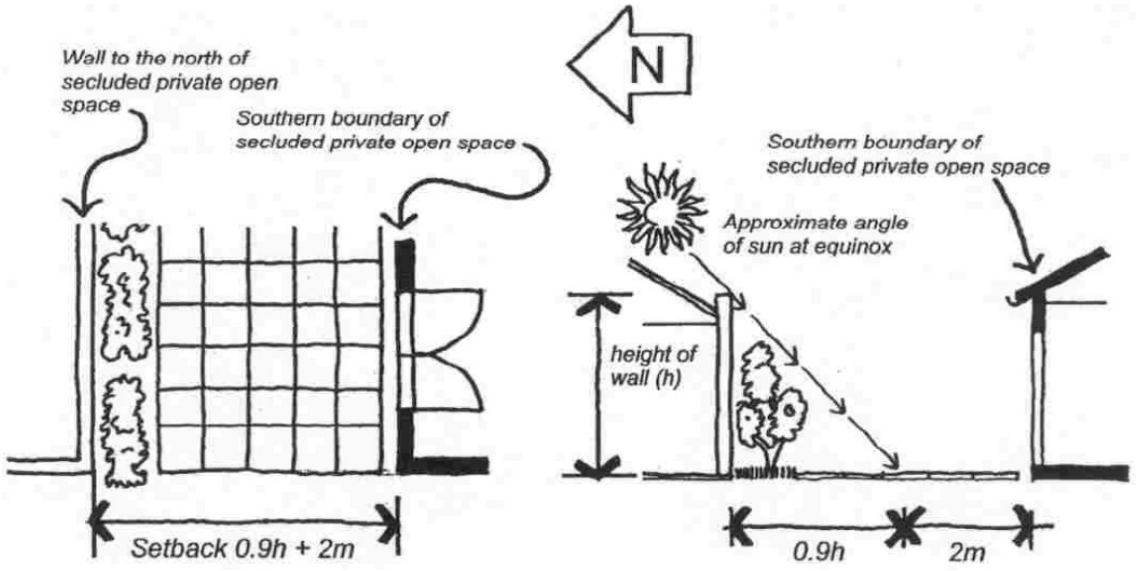
08/09/2025
VC282

To allow solar access into the secluded private open space of new dwellings.

Standard A3-3

The southern boundary of secluded private open space is set back from any wall on the north of the space at least (2 + 0.9h) metres, where 'h' is the height of the wall.

Diagram A3-3 Solar access to open space



This standard does not apply to a small second dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

54.03-4 Daylight to new windows objectives

08/09/2025
VC282

To allow adequate daylight into new habitable room windows.

Standard A3-4

A window in an external wall of the building is provided to all habitable rooms.

Habitable rooms in a dwelling have a window that faces:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or
- A verandah provided it is open for at least one third of its perimeter; or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which habitable rooms are provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.
- Whether there are other windows in the habitable room which have access to daylight.

54.03-5 Safety and accessibility for small second dwellings objective

08/09/2025
VC282

To ensure access to a small second dwelling is safe, convenient and meets the needs of residents.

Standard A3-5

A small second dwelling is provided with a clear and unobstructed path from the frontage that:

- Has a minimum width of at least 1 metre, with no encroachments. If the path is longer than 30 metres, the minimum width of the path is at least 1.8 metres.
- Has a minimum clear height of at least 2 metres, with no encroachments.
- Has a gradient no steeper than 1 in 14.
- Has a cross fall no steeper than 1 in 40.
- Is sealed or has an all-weather access.

Decision guidelines

Before deciding on an application, the responsible authority must consider the safety and accessibility of the small second dwelling.

54.04 EXTERNAL AMENITY

08/09/2025
VC282

54.04-1 Daylight to existing windows objective

24/09/2026
VC315

To allow adequate daylight into existing habitable room windows.

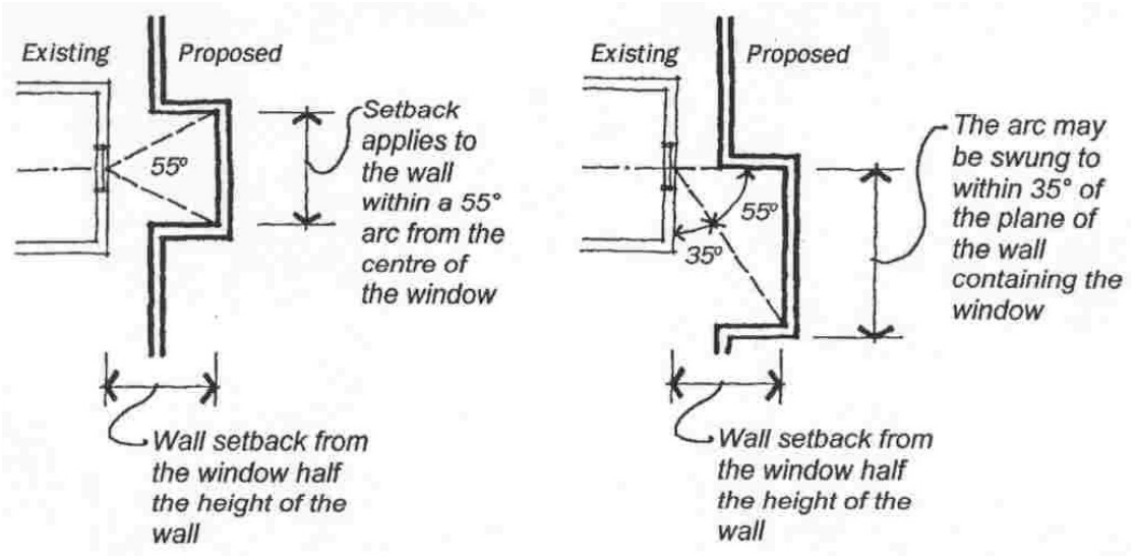
Standard A4-1

New 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.

New walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A4-1 Daylight to existing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling or small second dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings or small second dwellings.

54.04-2 Existing north-facing windows objective

08/09/2025
VC282

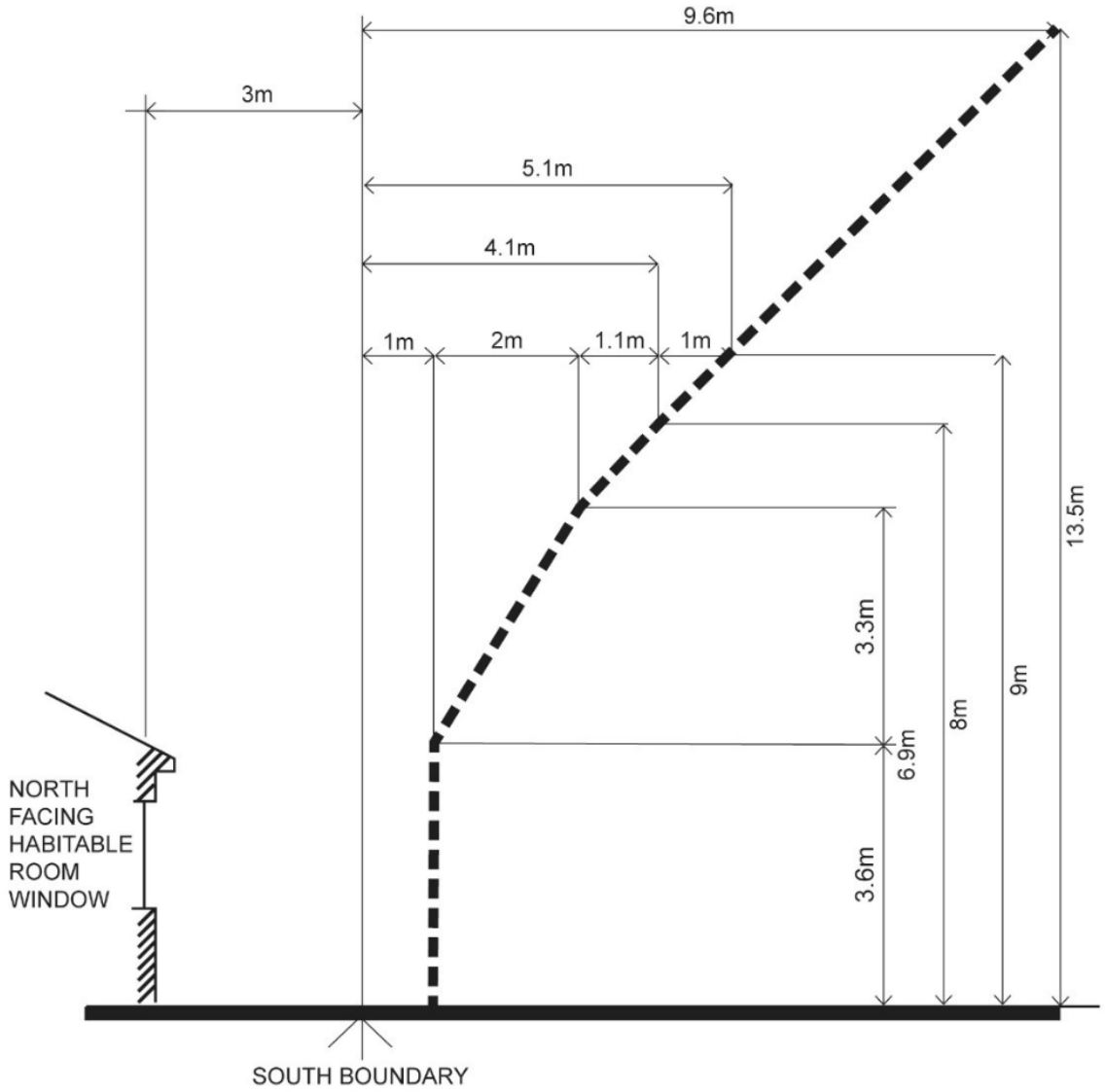
To allow adequate solar access to existing north-facing habitable room windows.

Standard A4-2

Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot, a new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.

For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.

Diagram A4-2 North-facing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling or small second dwelling.
- The impact on the amenity of existing dwellings or small second dwellings.

54.04-3 Overshadowing secluded open space objective

08/09/2025
VC282

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard A4-3

The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings or small second dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling or small second dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling or small second dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

54.04-4 Overlooking objective

08/09/2025
VC282

To limit views into existing secluded private open space and habitable room windows.

Standard A4-4

In Clause 54.04-4 a habitable room does not include a bedroom.

A habitable room window, balcony, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

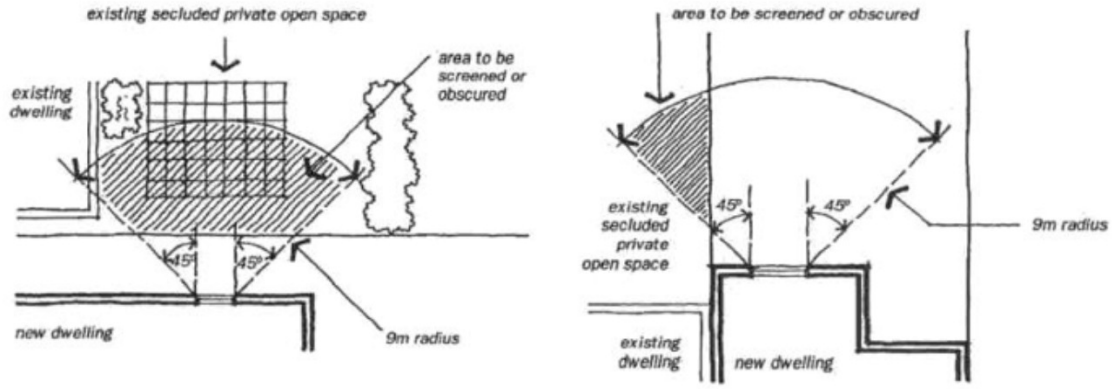
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view are:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram A4-4 Overlooking



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings or small second dwellings.
- The internal daylight to and amenity of the proposed dwelling or small second dwelling.

54.05 SUSTAINABILITY

08/09/2025
VC282

54.05-1 Permeability objectives

08/09/2025
VC282

To reduce the impact of increased stormwater run-off on the drainage system and downstream waterways.

To facilitate on-site stormwater infiltration.

To contribute to urban cooling.

Standard A5-1

The site area covered by the pervious surfaces is at least 20 percent of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The practicality of achieving the minimum site coverage of pervious surfaces.

54.05-2 Overshadowing domestic solar energy systems objective

08/09/2025
VC282

To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

Standard A5-2

Any part of a new building that will reduce the sunlight at any time between 9 am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.

In Clause 54.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the domestic solar energy system has been sited to optimise efficiency and protection from overshadowing.

54.05-3 Rooftop solar energy generation area objective

08/09/2025
VC282

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

Standard A5-3

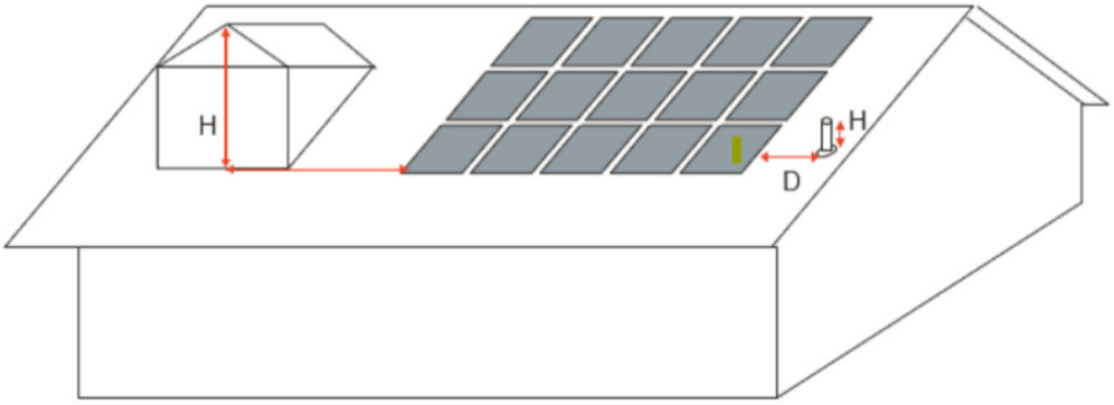
In Clause 54.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:

- Has a minimum dimension of 1.7 metres.
- Has a minimum area in accordance with Table A5-3.
- Is oriented to the north, west or east.

- Is positioned on the top two thirds of a pitched roof.
- Can be a contiguous area or multiple smaller areas.
- Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Diagram A5-3 Allowable distance between obstructions and the rooftop solar energy area



Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

Table A5-3 Minimum rooftop solar energy generation area

Number of bedrooms	Minimum roof area
1 bedroom dwelling	15 square metres
2 or 3 bedroom dwelling	26 square metres
4 or more bedroom dwelling	34 square metres

This standard does not apply to a small second dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size and orientation of the building.
- The availability of solar access to the rooftop.
- The extent to which the rooftop solar energy generation area is overshadowed by existing buildings, other permanent structures or equipment on the rooftop.

54.05-4 Solar protection to new north-facing windows objective

08/09/2025
VC282

To encourage external shading of north facing windows to minimise summer heat gain.

Standard A5-4

North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.

This standard does not apply to a small second dwelling.

Decision guidelines

Before deciding on an application, the responsible authority considers:

- The design response.
- The size and orientation of the lot.
- The type and useability of external solar shading devices, including alternative design responses.

55 TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS OF THREE STOREYS OR LESS

24/09/2026
VC315

Purpose

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

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that responds to the site and the surrounding area.

Application

Provisions in this clause apply to the classes of applications specified in clauses:

- 32.04-7, Mixed Use Zone,
- 32.05-8, Township Zone,
- 32.07-6, Residential Growth Zone,
- 32.08-7, General Residential Zone,
- 32.09-7, Neighbourhood Residential Zone,
- 32.10-5, Housing Choice and Transport Zone.

The objective contained in clause 55.03-1 does not apply to a development of less than 10 dwellings.

The objective contained in clause 55.05-3 does not apply to an apartment development or residential building.

The objectives contained in clauses 55.03-12 and 55.05-7 do not apply to the construction or extension of:

- A dwelling that is not in, or does not form part of, an apartment development; or
- A residential building.

Operation

The provisions of this clause contain:

- **Objectives**. An objective describes the outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the corresponding objective.

  If a zone or a schedule to a zone specifies a standard that modifies the standard set out in this clause, the modified standard in the zone or a schedule to the zone applies.

  If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.

  If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a standard that modifies the standard set out in this clause, or a modified standard in the zone or a schedule to the zone, the modified standard in the schedule to the overlay applies.
- **Decision guidelines**. If a standard is not met, the decision guidelines set out the matters that the responsible authority must consider before deciding if the corresponding objective is met.

Requirements

A development must meet all of the applicable objectives contained in this clause.

If a development meets a standard:

- The corresponding objective is deemed to be met;
- The responsible authority is not required to consider the corresponding decision guidelines.

If a development does not meet a standard, the responsible authority must consider the applicable decision guidelines in determining whether the corresponding objective is met.

Exemptions

Despite any other provision of this planning scheme, in determining applications to which this clause applies, the responsible authority is exempt from and is not required to consider:

- The Municipal Planning Strategy and Planning Policy Framework, unless an applicable decision guideline specifies otherwise.
- The purpose or decision guidelines of the relevant zone, unless an applicable decision guideline specifies otherwise.
- The decision guidelines in Clause 65, unless an applicable decision guideline specifies otherwise.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

An application to which this clause applies is exempt from the requirements of:

- Section 60(1)(b), (1)(e), (1)(f), (1A)(b) to (h), (1A)(j) and (1B) of the Act; and
- Section 84B(2)(b) to (g) and (2)(i) to (jb) of the Act.

55.01 APPLICATION REQUIREMENTS

31/03/2025
VC267

An application to which this clause applies must be accompanied by:

- A site description.
- A design response.
- A written statement outlining which standards are met and which are not met. If a standard is not met, the written statement must include an explanation of how the development meets the corresponding objective having regard to the corresponding decision guidelines.

55.01-1 Site description

31/03/2025
VC267

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- The built form, scale and character of surrounding development including front fencing.
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
- The use of surrounding buildings.
- The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
- Solar access to the site and to surrounding properties.
- Location of existing trees 5 metres in height or greater, with a trunk circumference of 0.5 metres or greater at 1.4 metres above ground level, on the site.
- Any cut and filled areas of soil, where known.
- Street frontage features such as poles, services, street trees and kerb crossovers.
- The location of any existing domestic solar energy system on the roof of a dwelling, apartment development or residential building on surrounding properties.

If in the opinion of the responsible authority a requirement of the site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

55.01-2 Design response

24/09/2026
VC315

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 canopy trees and vegetation, including species, that responds to the site's environment, location and geographic factors.
- Location of site services, clothes drying and storage.

If in the opinion of the responsible authority a design response requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

55.02 NEIGHBOURHOOD CHARACTER

31/03/2025
VC267

55.02-1 Street setback objectives

24/09/2026
VC315

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 new 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 Building height objective

24/09/2026
VC315

To ensure that the height of buildings respond to the existing or preferred neighbourhood character.

Standard B2-2

The maximum building height of a new building 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 of a new building does not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height does not exceed 10 metres.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

55.02-3 Side and rear setbacks objective

02/04/2025
VC276

To ensure that the height and setback of a building from a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings or small second dwellings.

Standard B2-3

A new building not on or within 200mm of a boundary is set back from side or rear boundaries in accordance with either B2-3.1 or B2-3.2.

Standard B2-3 is met if the building is set back in accordance with either B2-3.1 or B2-3.2, rather than needing to comply with both of these provisions:

- B2-3.1:

  The building is set back at least 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

- B2-3.2:

  If the boundary is not to the south of the building, the building is set back at least 3 metres up to a height not exceeding 11 metres and at least 4.5 metres for a height over 11 metres.

  If the boundary is to the south of the building, the building is set back at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east.

Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the side and rear setbacks.

Landings that have an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the side and rear setbacks.

Diagram B2-3.1 Side and rear setbacks

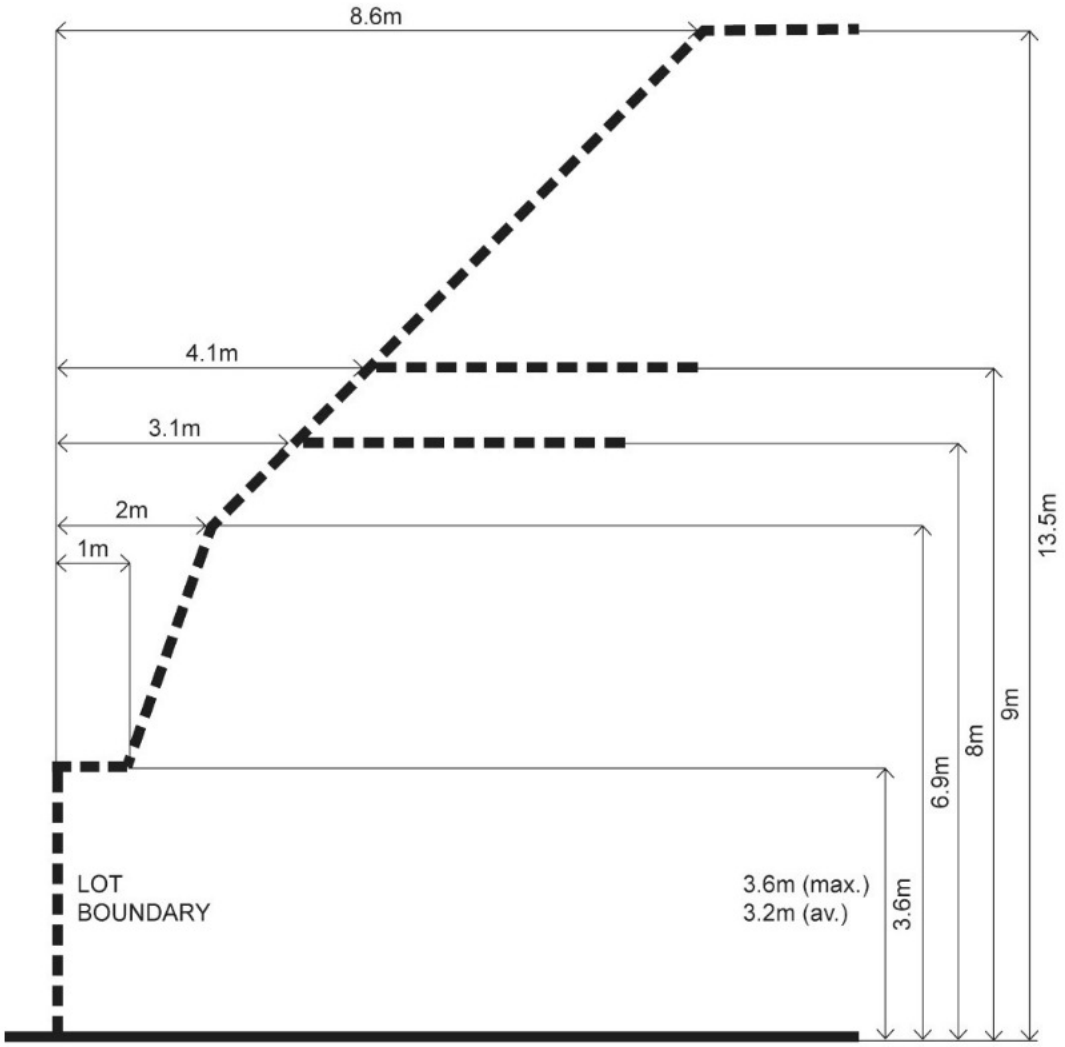
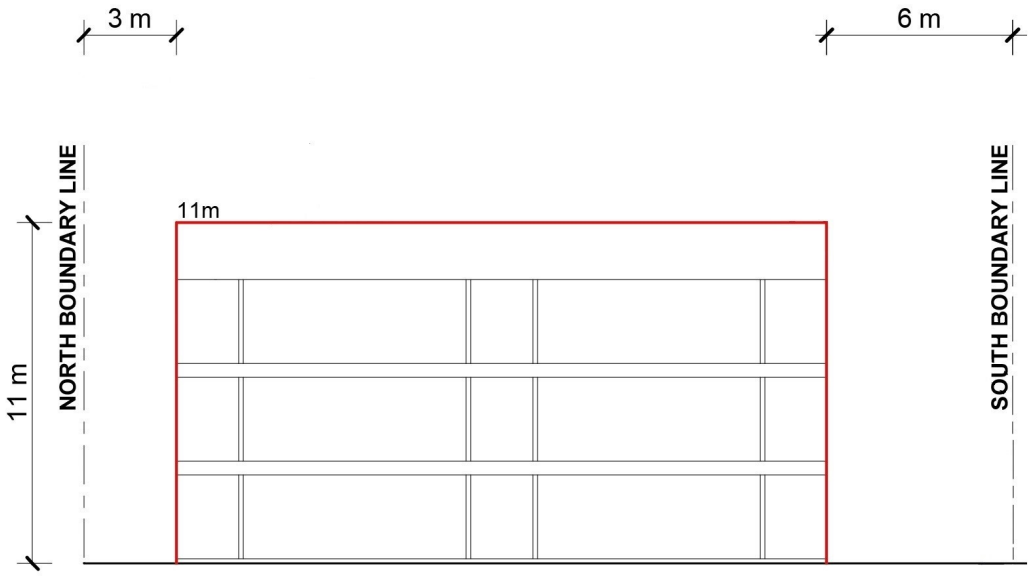


Diagram B2-3.2 Side and rear setbacks



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and private open space of existing dwellings or small second dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.
- Whether a different setback in a rear yard affects the ability to retain or plant canopy trees.

55.02-4 Walls on boundaries objectives

31/03/2025
VC267

To ensure that the location, length and height of a wall on a boundary responds to the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings and small second dwellings.

Standard B2-4

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot does not abut the boundary for a length that exceeds the greater of the following distances:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- The length of existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary does not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings or small second dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.

- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

55.02-5 Site coverage objective

31/03/2025
VC267

To ensure that the site coverage responds to the existing or preferred neighbourhood character and responds to the features of the site.

Standard B2-5

The site area covered by buildings does not exceed:

- The maximum site coverage specified in a schedule to the zone; or
- If no maximum site coverage is specified in a schedule to the zone, the percentage specified in Table B2-5.

If the maximum site coverage is specified in a schedule to a zone, it must be greater than the percentage specified in Table B2-5.

Table B2-5 Site coverage

Zone	Area
Neighbourhood Residential Zone Township Zone	60 per cent
General Residential Zone	65 per cent
Residential Growth Zone Mixed Use Zone Housing Choice and Transport Zone	70 per cent

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
- Whether a different area of site coverage affects the ability to retain or plant canopy trees.

55.02-6 Access objective

31/03/2025
VC267

To ensure the number and design of vehicle crossovers responds to the neighbourhood character.

Standard B2-6

The width of accessways or car spaces (other than to a rear lane) does not exceed:

- 33 per cent of the street frontage; or
- 40 per cent of the street frontage if the width of the street frontage is less than 20 metres.

The number of access points to a road in a Transport Zone 2 or a Transport Zone 3 is not increased.

The location of a vehicle crossover or accessway does not encroach the tree protection zone of an existing tree, that is proposed to be retained in a road by more than 10 per cent.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The reduction of on-street car parking spaces.
- Whether a different accessway width, number of access points or encroachment of an existing tree affects the ability to retain or plant canopy trees on the site or footpath.

55.02-7 Tree canopy objectives

24/09/2026
VC315

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

In this standard:

- ***average canopy diameter*** means the average of the measurements of the distance between the widest points of a tree's drip line (the outer edge of foliage) in two perpendicular directions;
- ***canopy cover*** means the area of a tree's canopy;
- ***existing canopy tree*** means a tree that has:
  - a height of at least 5 metres above ground level; and
  - an average canopy diameter of at least 4 metres; and
  - a trunk that is located at least 4 metres from existing and proposed buildings.
- ***new canopy tree*** means a tree proposed to be planted that is of a species and type that at maturity is expected to have:
  - a height of at least 6 metres above ground level; and
  - a canopy diameter of at least 4 metres.

The total canopy cover provided with the development is equivalent to at least the percentage of the site area specified in Column 2 to Table B2-7.1 corresponding to the applicable site area specified in Column 1.

Table B2-7.1 Canopy cover

Column 1 Site area	Column 2 Canopy cover
1000 square metres or less	10 per cent of site area
More than 1000 square metres to 1500 square metres	15 per cent of site area
More than 1500 square metres	20 per cent of site area

The canopy cover requirement can only be met by retaining an existing canopy tree, planting a new canopy tree or a combination of both, within the site.

The total canopy cover required by Table B2-7.1 includes:

- The total canopy cover of an existing canopy tree, whether or not the canopy cover is wholly contained within the boundaries of the site.
- The canopy cover within the boundaries of the site of a new canopy tree and any part of the canopy cover overhanging land in a public road or public open space.
- The canopy cover of an existing canopy tree and a new canopy tree that extends below, or overhangs, an existing or proposed building located on the site.
- Any overlapping canopy cover of an existing canopy tree or a new canopy tree provided that the overlapping canopy cover is only counted once.

At least one existing canopy tree or new canopy tree is to be located within the front setback. This does not apply if it is proposed to retain one existing canopy tree that meets the minimum total canopy cover requirement and that tree is not located in the front setback.

Each new canopy tree is planted in either deep soil or a planter that meets the following requirements:

- Deep soil must be at least the area and plan dimension specified in Columns 2 and 5, respectively, of Table B2-7.2 corresponding to the tree's expected canopy diameter at maturity specified in Column 1.
- A planter must be at least the soil volume, soil depth, and plan dimension, specified in Columns 3, 4 and 5 of Table B2-7.2 corresponding to the tree's expected canopy diameter at maturity specified in Column 1.
- If two or more new canopy trees are to be planted in the same area of deep soil, the required area of deep soil can be reduced by the percentage specified in Column 2 of Table B2-7.3 corresponding to the number of trees specified in Column 1.

Table B2-7.2 Deep soil and planter requirements

Column 1 Expected canopy diameter at maturity	Column 2 Minimum deep soil area	Column 3 Minimum tree in planter soil volume	Column 4 Minimum tree in planter soil depth	Column 5 Minimum deep soil or tree in planter plan dimension
4 metres and less than 5 metres	12 square metres	8 cubic metres	0.8 metres	2.5 metres
5 metres and less than 6 metres	16 square metres	12 cubic metres	0.8 metres	3 metres
6 metres and less than 7 metres	25 square metres	17 cubic metres	0.8 metres	3.5 metres
7 metres and less than 8 metres	36 square metres	23 cubic metres	0.8 metres	4 metres
8 metres and less than 9 metres	49 square metres	30 cubic metres	1.0 metres	4.5 metres
9 metres and less than 10 metres	64 square metres	38 cubic metres	1.0 metres	5 metres
10 metres and less than 11 metres	81 square metres	47 cubic metres	1.0 metres	5.5 metres
11 metres and less than 12 metres	100 square metres	57 cubic metres	1.0 metres	6 metres

Column 1 Expected canopy diameter at maturity	Column 2 Minimum deep soil area	Column 3 Minimum tree in planter soil volume	Column 4 Minimum tree in planter soil depth	Column 5 Minimum deep soil or tree in planter plan dimension
12 metres and less than 13 metres	121 square metres	68 cubic metres	1.5 metres	6.5 metres
13 metres and less than 14 metres	136 square metres	80 cubic metres	1.5 metres	7 metres
14 metres and greater	144 square metres	92 cubic metres	1.5 metres	7.5 metres

Table B2-7.3 Reduced deep soil area

Column 1 Number of new canopy trees to be planted in same area of deep soil	Column 2 Percentage reduction of area of deep soil
2	5 per cent
3	10 per cent
4	15 per cent
5	20 per cent
6 or more	25 per cent

The following can encroach into the total area of deep soil:

- Impervious surfaces by no more than 10 per cent.
- Unroofed decking by no more than 50 per cent, provided the gap between the decking boards is at least:
  - 4 millimetres for decking boards not more than 90 millimetres wide.
  - 5 millimetres for decking boards more than 90 millimetres wide.
  - 8 millimetres if the deck is less than 400 millimetres above ground level.
- An eave not exceeding a width of 600 millimetres.

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.
- The suitability of providing deep soil area within an easement on the subject land.

55.02-8 Front fences objective

24/09/2026
VC315

To encourage front fence design that responds to the existing or preferred neighbourhood character.

Standard B2-8

Either the development:

- does not include a new, or an extension to an existing, front fence within three metres of a street; or
- includes a new, or extension to an existing, front fence within 3 metres of a street if the height of the fence does not exceed:
  - The maximum height specified in a schedule to the zone, or
  - If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B2-8.

Table B2-8 Maximum front fence height

Street context	Maximum front fence height
Streets in a Transport Zone 2	2 metres
Other streets	1.5 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

55.03 LIVEABILITY

31/03/2025
VC267

55.03-1 Dwelling diversity objective

31/03/2025
VC267

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3-1

Developments include at least:

- One dwelling that contains a kitchen, bath or shower, bedroom and a toilet and wash basin at ground floor level for every 10 dwellings.
- One dwelling that includes no more and no less than 2 bedrooms for every 10 dwellings.
- One dwelling that includes no more and no less than 3 bedrooms for every 10 dwellings.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the development provides a range of dwelling sizes and types to meet diverse household needs.

55.03-2 Parking location objective

31/03/2025
VC267

To minimise the impact of vehicular noise within developments on residents.

Standard B3-2

Habitable room windows with sill heights of less than 3 metres above ground level are setback from accessways and car parks by at least:

- 1.5 metres; or
- If there is a solid fence with a height of at least 1.5 metres between the accessway or car park and the window, 1 metre; or
- 1 metre where window sills are at least 1.5 metres above ground level.

This standard is met if an accessway or relevant car parking space is used exclusively by the resident of the building with the habitable room.

Decision guidelines

Before deciding on an application, the responsible authority must consider the design response.

55.03-3 Street integration objective

31/03/2025
VC267

To integrate the layout of development with the street to support the safety and amenity of residents.

Standard B3-3

Where a development fronts a street, a vehicle accessway or abuts public open space:

- Passive surveillance is provided by a direct view from a balcony or a habitable room window to each street, vehicle accessway and public open space.
- The total cumulative width of all site services to be located within 3 metres of a street, do not take up more than 20 per cent of the width of the frontage and are screened from view from the street or located behind a fence. Screens or fences are to provide no more than 25 per cent transparency.

Lighting is provided to all external accessways and paths.

Mailboxes are provided for each dwelling and can be communally located.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.

55.03-4 Entry objectives

31/03/2025
VC267

To provide each dwelling, apartment development or residential building with its own sense of identity.

To provide entries with weather protection, safe design, natural light and ventilation.

Standard B3-4

Dwellings (other than a dwelling in or forming part of an apartment development) and residential buildings

Each dwelling and each residential building has a ground level entry door that:

- Has a direct line of sight from a street, accessway or shared walkway.
- Is not accessed through a garage.
- Has an external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door.

Apartment development and residential building with a shared entry

An apartment development and each residential building has:

- A ground level entry door, gate or walkway with a direct line of sight from a street, accessway or shared walkway.
- An external covered area of at least 1.44 square metres with a minimum dimension of least 1.2 metres over the entry door to the building.
- Shared corridors and common areas have at least one source of natural light and natural ventilation.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the entry is visible and easily identifiable from streets and other public areas.
- Whether the entry provides shelter, a sense of address and a transitional space around the entry.

55.03-5 Private open space objectives

31/03/2025
VC267

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B3-5

A dwelling or residential building has private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimension is specified in a schedule to the zone, a dwelling or residential building has private open space with direct access from a living area, dining area or kitchen consisting of:

- An area of 25 square metres of secluded private open space, with a minimum dimension of 3 metres width; or
- A balcony with at least the area and dimensions specified in Table B3-5; or

- An area on a podium or similar of at least 15 square metres, with a minimum dimension of 3 metres width; or
- An area on a roof of at least 10 square metres, with a minimum dimension of 2 metres width.

If the area and dimensions of the private open space or secluded private open space is specified in a schedule to the zone;

- The area and dimensions specified in the schedule must be 25 square metres or less; and
- The area and dimensions specified for a podium, balcony or an area on a roof must be less than the area and dimensions specified in this standard.

If a cooling or heating unit is located in the secluded private open space or private open space the required area is increased by 1.5 square metres.

Where ground level private open space is provided an area for clothes drying is provided.

Table B3-5 Private open space for a balcony

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 20 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 bedroom dwelling	12 square metres	2.4 metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

55.03-6 Solar access to open space objective

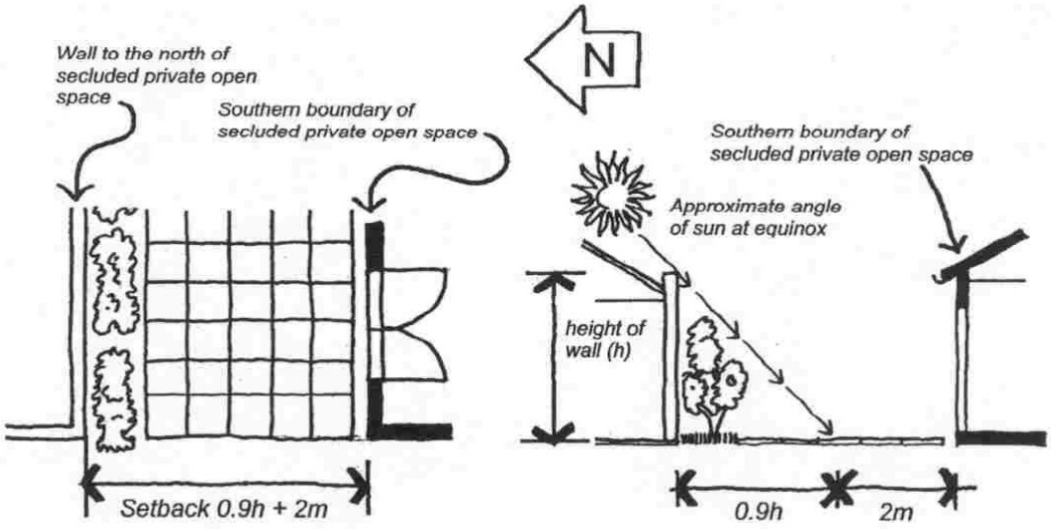
31/03/2025
VC267

To allow solar access into the secluded private open space of new dwellings and residential buildings.

Standard B3-6

The southern boundary of secluded private open space is set back from any wall on the north of the space at least (2 + 0.9h) metres, where ‘h’ is the height of the wall.

Diagram B3-6 Solar access to open space



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

55.03-7 Functional layout objective

02/04/2025
VC276

To ensure dwellings provide functional areas that meet the needs of residents.

Standard B3-7

Bedrooms:

- Meet the minimum internal room dimensions specified in Table B3-7.1; and
- Provide an additional area of at least 0.8 square metres to accommodate a wardrobe.

Table B3-7.1 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) meet the minimum internal room dimensions specified in Table B3-7.2.

Table B3-7.2 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guideline

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of habitable rooms.

55.03-8 Room depth objective

31/03/2025
VC267

To allow adequate daylight into single aspect habitable rooms.

Standard B3-8

The depth of a single aspect habitable room does not exceed 2.5 times the ceiling height measured from the external surface of the habitable room window to the rear wall of the room.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen; and
- The kitchen is located furthest from the window; and
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level, this excludes where services are provided above the kitchen; and
- An overhang extends no more than 2m beyond the window of the single aspect habitable room.

In Clause 55.03-8 a single aspect habitable room is a habitable room with windows on only one wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

55.03-9 Daylight to new windows objective

31/03/2025
VC267

To allow adequate daylight into new habitable room windows.

Standard B3-9

Dwelling (other than a dwelling in or forming part of an apartment development)

A window in an external wall of the building is provided to all habitable rooms.

Habitable rooms in a dwelling have a window that faces:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot; or
- A verandah provided it is open for at least one third of its perimeter; or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Dwelling in or forming part of an apartment development

A window in an external wall of the building is provided to all habitable rooms.

Where daylight to a bedroom is provided from a smaller secondary area within the bedroom, the secondary area is to have:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.
- A window clear to the sky.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which habitable rooms are provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.
- Whether there are other windows in the habitable room which have access to daylight.

55.03-10 Natural ventilation objectives

31/03/2025
VC267

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard B3-10

Dwelling (other than a dwelling in or forming part of an apartment development)

Dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Dwelling in or forming part of an apartment development

At least 40 per cent of dwellings have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.

- The extent to which the orientation and layout of the dwelling maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and site context.

55.03-11 Storage objective

31/03/2025
VC267

To provide adequate storage facilities for each dwelling.

Standard B3-11

Dwelling (other than a dwelling in or forming part of an apartment development)

Each dwelling has exclusive access to at least 6 cubic metres of externally accessible storage space.

Dwelling in or forming part of an apartment development

Each dwelling has exclusive access to storage at least the total minimum storage volume that is specified in Table B3-11.

Table B3-11 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

55.03-12 Accessibility for apartment developments objective

31/03/2025
VC267

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B3-12

At least 50 per cent of dwellings in or forming part of an apartment development have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B3-12.

Table B3-12 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: ▪ 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 EXTERNAL AMENITY

31/03/2025
VC267

55.04-1 Daylight to existing windows objective

24/09/2026
VC315

To allow adequate daylight into existing habitable room windows.

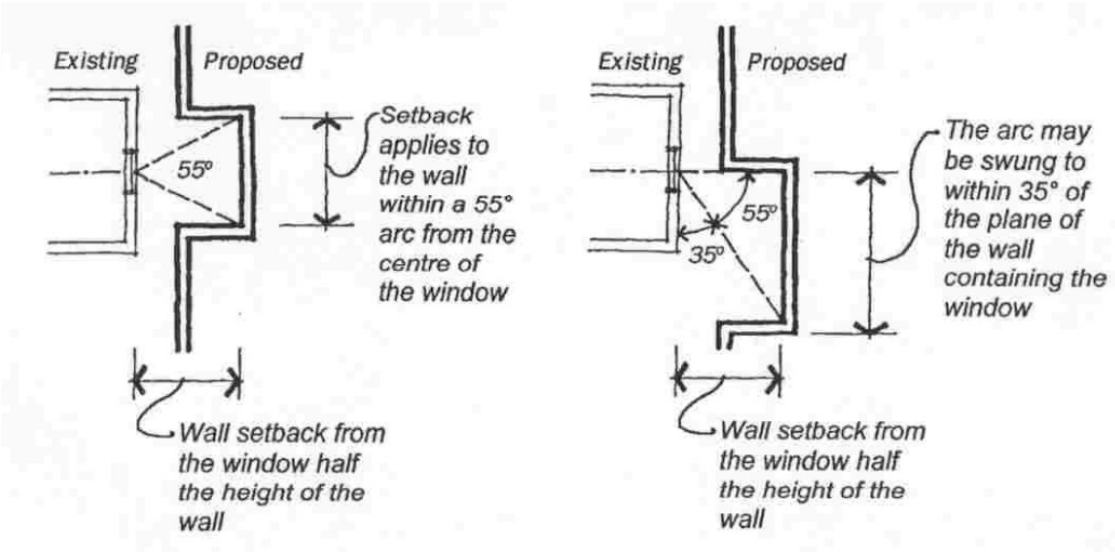
Standard B4-1

New 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.

New walls or carports more than 3 metres in height opposite an existing habitable room window are set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B4-1 Daylight to existing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling or small second dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings or small second dwellings.

55.04-2 Existing north-facing windows objective

02/04/2025
VC276

To allow adequate solar access to existing north-facing habitable room windows.

Standard B4-2

Where a north-facing habitable room window of a neighbouring dwelling or small second dwelling is within 3 metres of a boundary on an abutting lot:

- A new building is to be set back from the boundary by at least 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.
- For new buildings that meet the Standard B2-3.2 setback, the building is set back from the boundary by at least 6 metres up to a height not exceeding 11 metres and at least 9 metres for a height over 11 metres between south 30 degrees west to south 30 degrees east. This setback is to be provided for a distance of at least 3 metres from the edge of each side of the window.

For this standard a north-facing window is a window with an axis perpendicular to its surface oriented from north 20 degrees west to north 30 degrees east.

Diagram B4-2.1 North-facing windows

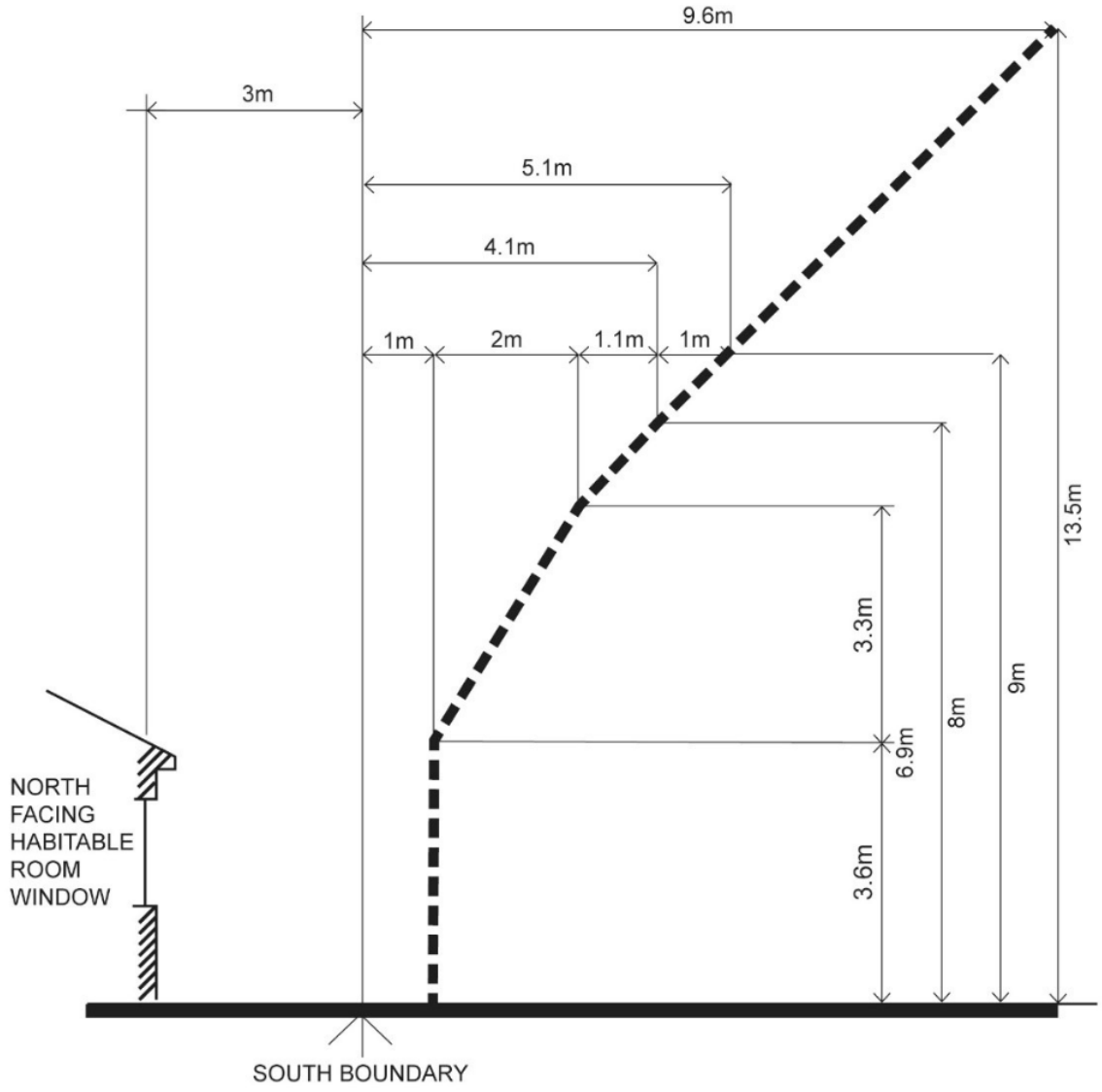
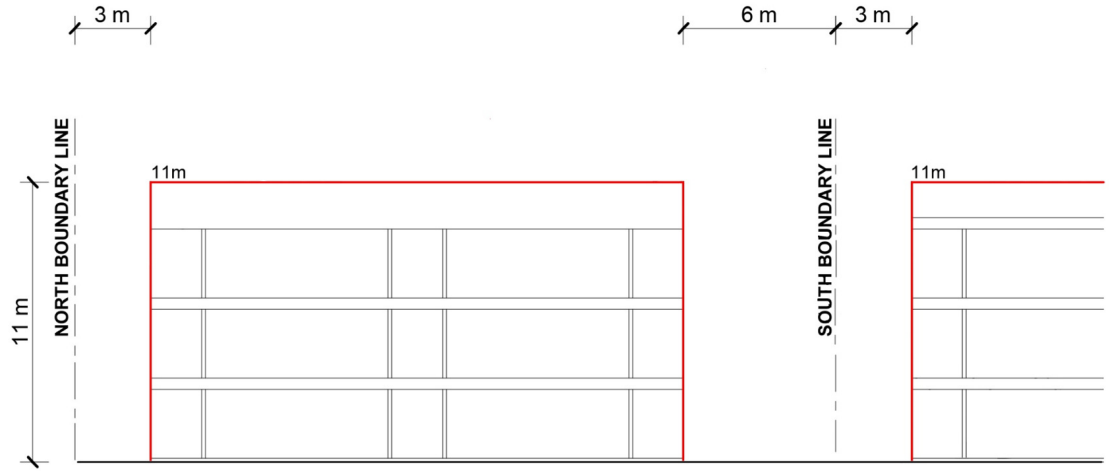


Diagram B4-2.2 North-facing windows



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling or small second dwelling.
- The impact on the amenity of existing dwellings or small second dwellings.

55.04-3 Overshadowing secluded open space objective

02/04/2025
VC276

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B4-3

The area of secluded private open space that is not overshadowed by the new development is greater than 50 per cent, or 25 square metres with a minimum dimension of 3 metres, whichever is the lesser area, for a minimum of five hours between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling or small second dwelling is less than the requirements of this standard, the amount of sunlight will not be further reduced.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings or small second dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling or small second dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling or small second dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

55.04-4 Overlooking objective

31/03/2025
VC267

To limit views into existing secluded private open space and habitable room windows.

Standard B4-4

In Clause 55.04-4 a habitable room does not include a bedroom.

A habitable room window, balcony, podium, terrace, deck or patio is located and designed to avoid direct views into the secluded private open space of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views are measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio that is located with a direct view into a habitable room window of an existing dwelling or small second dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio:

- Is offset a minimum of 1.5 metres from the edge of one window to the edge of the other; or
- Has sill heights of at least 1.7 metres above floor level; or
- Has fixed, obscure glazing in any part of the window below 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent; or
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

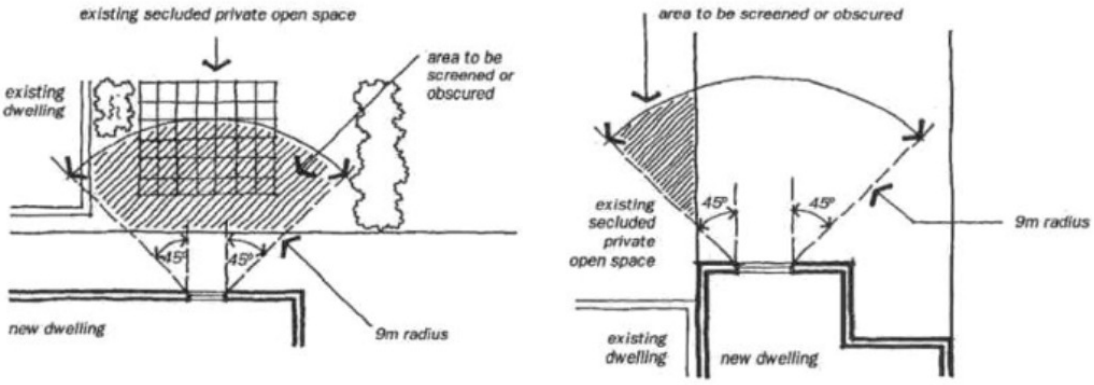
Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view are:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4-4 Overlooking



Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.

- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings or small second dwellings.
- The internal daylight to and amenity of the proposed dwelling, residential building or small second dwelling.

55.04-5 Internal views objective

31/03/2025
VC267

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

Standard B4-5

In Clause 55.04-5 a habitable room does not include a bedroom.

Within the development, a habitable room window, balcony, terrace, deck or patio that is located with a direct view into the secluded private open space of another dwelling:

- Is offset a minimum of 1.5 metres from the edge of the secluded private open space; or
- Has a sill height of at least 1.7 metres above floor level; or
- Has a fixed, visually obscure balustrade to at least 1.7 metre above floor level; or
- Has permanently fixed external screens to at least 1.7 metres above floor level; or.
- Has fixed elements that prevent the direct view, such as horizontal ledges or vertical fins.

Direct views are measured at a height of 1.7 metres above floor level and within:

- A 45 degree horizontal angle from the edge of the new window or balcony.
- A 45 degree angle in the downward direction.

Screens provided for overlooking are no more than 25 per cent transparent. Screens may be openable provided that this does not allow direct views as specified in this standard.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

55.05 SUSTAINABILITY

31/03/2025
VC267

55.05-1 Permeability and stormwater management objective

24/09/2026
VC315

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 demonstrating a minimum 100 per cent Blue Factor tool score, or documentation from Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority showing 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 owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

55.05-2 Overshadowing domestic solar energy systems objective

31/03/2025
VC267

To ensure that the height and setback of a building from a boundary allows reasonable solar access to existing domestic solar energy systems on the roofs of buildings.

Standard B5-2

Any part of a new building that will reduce the sunlight at any time between 9am and 4 pm on 22 September to an existing domestic solar energy system on the roof of a building on an adjoining lot be set back from the boundary to that lot by at least 1 metre at 3.6 metres above ground level, plus 0.3 metres for every metre of building height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

This standard applies to an existing building in a Township Zone, General Residential Zone or Neighbourhood Residential Zone.

In Clause 55.05-2 domestic solar energy system means a domestic solar energy system that existed at the date the application was lodged.

Decision guidelines

Before deciding on an application, the responsible authority must consider whether the domestic solar energy system has been sited to optimise efficiency and protection from overshadowing.

55.05-3 Rooftop solar energy generation area objective

31/03/2025
VC267

To support the future installation of appropriately sited rooftop solar energy systems for a dwelling.

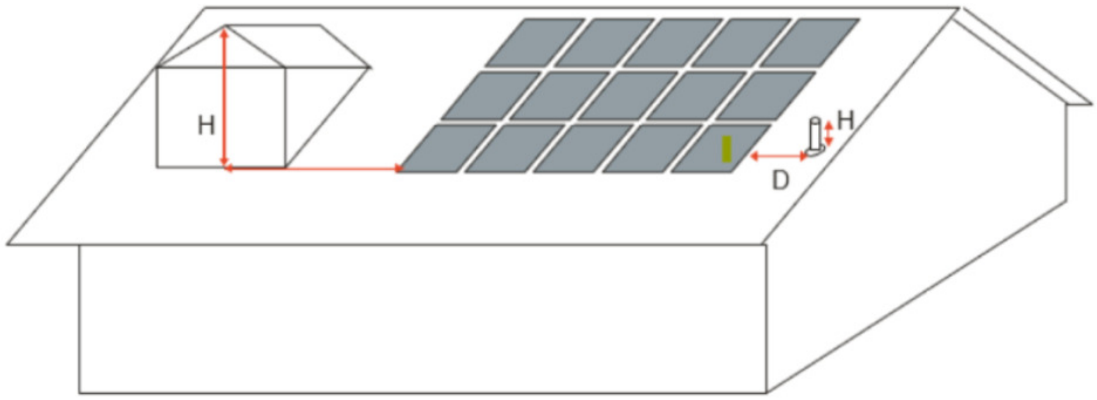
Standard B5-3

In Clause 55.05-3 rooftop solar energy area means an area provided on the roof of a dwelling to enable the future installation of a solar energy system.

An area on the roof is capable of siting a rooftop solar energy area for each dwelling which:

- Has a minimum dimension of 1.7 metres.
- Has a minimum area in accordance with Table B5-3.
- Is oriented to the north, west or east.
- Is positioned on the top two thirds of a pitched roof.
- Can be a contiguous area or multiple smaller areas.
- Is free of obstructions on the roof of the dwelling within twice the height of each obstruction (H), measured horizontally (D) from the centre point of the base of the obstruction to the nearest point of the rooftop solar energy area.

Diagram B5-3 Allowable distance between obstructions and the rooftop solar energy area



Obstructions located south of all points of the rooftop solar energy area are not subject to the horizontal distance requirements.

Table B5-3 Minimum rooftop solar energy generation area

Number of bedrooms	Minimum roof area
1 bedroom dwelling	15 square metres
2 or 3 bedroom dwelling	26 square metres
4 or more bedroom dwelling	34 square metres

This standard does not apply to apartments and residential buildings.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size and orientation of the building.
- The availability of solar access to the rooftop.
- The extent to which the rooftop solar energy generation area is overshadowed by existing buildings, other permanent structures or equipment on the rooftop.

55.05-4 Solar protection to new north-facing windows objective

31/03/2025
VC267

To encourage external shading of north facing windows to minimise summer heat gain.

Standard B5-4

North facing windows are shaded by eaves, fixed horizontal shading devices or fixed awnings with a minimum horizontal depth of 0.25 times the window height.

Decision Guidelines

Before deciding on an application, the responsible authority considers:

- The design response.
- The size and orientation of the lot.
- The type and useability of external solar shading devices, including alternative design responses.

55.05-5 Waste and recycling objectives

31/03/2025
VC267

To ensure dwellings are designed to facilitate waste recycling.

To ensure that waste and recycling facilities are accessible and are of sufficient size to manage organic and general waste, and mixed and glass recycling.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity.

Standard B5-5

Dwelling (other than a dwelling in or forming part of an apartment development)

The development includes an individual bin storage area for each dwelling, or a shared bin storage area for use by each dwelling, of at least the applicable area, depth and height specified in Table B5-5.1.

Table B5-5.1 Bin storage

Type of bin storage area	Minimum area	Minimum depth	Minimum height
Individual bin storage area for a dwelling.	1.8 square metres	0.8 metre	1.8 metres
Shared bin storage area for 3 dwellings or less.	5.4 square metres	0.8 metre	1.8 metres
Shared bin storage area for 4 or more dwellings.	1 square metre per dwelling plus 4 square metres	0.8 metre	1.8 metres

If the development includes a shared bin storage area:

- The shared bin storage area:
  - Is located within 40 metres of a kerbside collection point.
  - Includes a tap for bin washing.
- There is a continuous path of travel free of steps and obstructions from dwellings to the bin storage area.

Where access is provided for private bin collection on the land the design of access ways must allow the vehicle to enter and exit in a forward direction.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Dwelling in or forming part of an apartment development

The development includes a shared bin storage area for use by each dwelling of at least the applicable area, depth and height specified in Table B5-5.2.

Table B5-5.2 Apartment bin storage

Number of dwellings	Minimum area	Minimum depth	Minimum height
15 or less dwellings	0.7 square metres per dwelling in a shared waste storage area	0.8 metres	2.7 metres
16 to 55 dwellings	0.5 square metres per dwelling, plus 5 square metres in a shared waste storage area.	1 metre	2.7 metres
56 or more dwellings	0.5 square metres per dwelling in a shared waste storage area.	1 metre	2.7 metres

Enclosed bin storage areas are ventilated by:

- Natural ventilation openings to the external air with an area of at least 5 per cent of the area for bin storage area; or
- A mechanical exhaust ventilation system.

A tap and drain is provided to wash bins.

A continuous path of travel is provided from each dwelling to bin storage areas.

Each dwelling includes an internal waste and recycling storage space of at least 0.07 cubic metres with a minimum depth of 250 millimetres.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response, including a Waste Management Plan.
- Any relevant waste and recycling objective, policy or statement set out in this planning scheme.
- The functionality and accessibility of waste and recycling facilities, including for people with limited mobility.

- Whether facilities are provided for on-site reuse or management of food and garden organics through composting or other waste recovery.
- Whether waste and recycling facilities are designed to meet the better practice design options specified in Waste management and recycling in multi-unit developments (Sustainability Victoria, 2019).

55.05-6 Noise impacts objective

31/03/2025
VC267

To minimise the impact of mechanical plant noise located in the development.

Standard B5-6

Mechanical plant, including mechanical car storage and lift facilities are not located immediately adjacent to bedrooms of new or existing dwellings or small second dwellings, unless a solid barrier is in place to provide a line of sight barrier to transmission of noise and the location of all relevant bedrooms.

Decision guideline

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling or small second dwelling and the site context.

55.05-7 Energy efficiency for apartment developments objectives

31/03/2025
VC267

To achieve energy efficient dwellings and buildings.

To ensure dwellings achieve adequate thermal efficiency.

Standard B5-7

Dwellings in or forming part of an apartment development located in a climate zone identified in Table B5-7 do not exceed the maximum NatHERS annual cooling load.

NatHERS climate zone	NatHERS maximum cooling load MJ/M^2 per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note:

Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

56
25/02/2025
VC257

RESIDENTIAL SUBDIVISION

Purpose

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

To create liveable and sustainable neighbourhoods and urban places with character and identity.

To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application

These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Housing Choice and Transport Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement

An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.

Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.

56.01 SUBDIVISION SITE AND CONTEXT DESCRIPTION AND DESIGN RESPONSE

16/01/2018
VC142

56.01-1 Subdivision site and context description

16/01/2018
VC142

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.
- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.
- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.

- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Satisfactory subdivision site and context description

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

56.01-2 Subdivision design response

09/10/2006
VC42

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.

56.02 POLICY IMPLEMENTATION

09/10/2006
VC42

56.02-1 Strategic implementation objective

09/10/2006
VC42

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.

56.03 LIVEABLE AND SUSTAINABLE COMMUNITIES

19/09/2017
VC132

56.03-1 Compact and walkable neighbourhoods objectives

09/10/2006
VC42

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network
- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
- Shows the layout of the subdivision in relation to the surrounding area.
- Is designed to be accessible for people with disabilities.

56.03-2 Activity centre objective

09/10/2006
VC42

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.

56.03-3 Planning for community facilities objective

20/03/2023
VC229

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

56.03-4 Built environment objective

09/10/2006
VC42

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

56.03-5 Neighbourhood character objective

09/10/2006
VC42

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:

- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.

56.04 LOT DESIGN

09/10/2006
VC42

56.04-1 Lot diversity and distribution objectives

09/10/2006
VC42

To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.

To provide higher housing densities within walking distance of activity centres.

To achieve increased housing densities in designated growth areas.

To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7

A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.

Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.

A range and mix of lot sizes should be provided including lots suitable for the development of:

- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.

Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

56.04-2 Lot area and building envelopes objective

08/09/2025
VC282

To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8

An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
- If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the *Subdivision Act 1988*, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A2-3 and A2-4 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A4-1 to A4-4 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

56.04-3 Solar orientation of lots objective

09/10/2006
VC42

To provide good solar orientation of lots and solar access for future dwellings.

Standard C9

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

56.04-4 Street orientation objective

09/10/2006
VC42

To provide a lot layout that contributes to community social interaction, personal safety and property security.

Standard C10

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

56.04-5 Common area objectives

09/10/2006
VC42

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.

56.05 URBAN LANDSCAPE

01/10/2009
VC58

56.05-1 Integrated urban landscape objectives

09/10/2006
VC42

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

56.05-2 Public open space provision objectives

01/10/2009
VC58

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.

To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

Standard C13

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
- Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
- Additional small local parks or public squares in activity centres and higher density residential areas.
- Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
- Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
- Sufficient to incorporate two football/cricket ovals
- Appropriate for the intended use in terms of quality and orientation
- Located on flat land (which can be cost effectively graded)
- Located with access to, or making provision for, a recycled or sustainable water supply
- Adjoin schools and other community facilities where practical
- Designed to achieve sharing of space between sports.
- Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.

56.06 ACCESS AND MOBILITY MANAGEMENT

18/06/2010
VC62

56.06-1 Integrated mobility objectives

18/06/2010
VC62

To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14

An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

56.06-2 Walking and cycling network objectives

09/10/2006
VC42

To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15

The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

56.06-3 Public transport network objectives

09/10/2006
VC42

To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.

To encourage maximum use of public transport.

Standard C16

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

56.06-4 Neighbourhood street network objective

14/05/2021
VC198

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

Standard C17

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Head, Transport for Victoria's arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.

- Indicate the appropriate street type.
- Provide a speed environment that is appropriate to the street type.
- Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).
- Encourage appropriate and safe pedestrian, cyclist and driver behaviour.
- Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.
- Minimise the provision of culs-de-sac.
- Provide for service and emergency vehicles to safely turn at the end of a dead-end street.
- Facilitate solar orientation of lots.
- Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.
- Contribute to the area's character and identity.
- Take account of any identified significant features.

56.06-5 Walking and cycling network detail objectives

09/10/2006
VC42

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Standard C18

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.

- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

56.06-6 Public transport network detail objectives

09/10/2006
VC42

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

Standard C19

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

56.06-7 Neighbourhood street network detail objective

15/09/2008
VC49

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

Standard C20

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.

- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.
- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.

56.06-8 Lot access objective

18/06/2010
VC62

To provide for safe vehicle access between roads and lots.

Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane

A side or rear lane principally providing access to parking on lots with another street frontage.

Traffic volume[1]	300vpd
Target speed[2]	10kph
Carriageway width[3] **& parking provision within street reservation**	5.5m[6] wide with no parking spaces to be provided. Appropriately signed.
Verge width[4]	No verge required.
Kerbing[5]	
Footpath provision	None Carriageway designed as a shared zone and appropriately signed.
Cycle path provision	None

Access Place

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

Traffic volume[1]	300vpd to1000vpd
Target speed[2]	15kph
Carriageway width[3] **& parking provision within street reservation**	5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.
Verge width[4]	7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.

Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed. or 1.5m wide footpath offset a minimum distance of 1m from the kerb.
Cycle path provision	None

Access Street - Level 1

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume[1]	1000vpd to 2000vpd
Target speed[2]	30kph
Carriageway width[3] **& parking provision within street reservation**	5.5m wide with1 hard standing verge parking space per 2 lots.
Verge width[4]	4m minimum each side
Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. Be offset a minimum distance of 1m from the kerb.
Cycle path provision	Carriageway designed as a shared zone and appropriately signed.

Access Street - Level 2

A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume[1]	2000vpd to 3000vpd
Target speed[2]	40kph
Carriageway width[3] **& parking provision within street reservation**	7m-7.5m wide with parking on both sides of carriageway
Verge width[4]	4.5m minimum each side
Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.

	Be offset a minimum distance of 1m from the kerb.
Cycle path provision	Carriageway designed as a shared zone and appropriately signed.

Connector Street - Level 1

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume[1]	3000 vpd
Target speed[2]	50 kph[7] reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.
Carriageway width[3]**, cycle lane provision, parking provision and bus stops within street reservation**	▪ 3.5m minimum lane width in each direction of travel. ▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. ▪ For on-street cycling, increase the minimum clear carriageway in each direction by: – 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or – 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or – 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway. ▪ An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. ▪ Bus stops at the kerbside, not indented within the verge.
Verge width[4]	4.5m minimum each side.
Kerbing[5]	Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath provision	▪ 1.5m wide footpaths on both sides. ▪ Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. ▪ Footpaths offset a minimum distance of 1m from the kerb.

Connector Street - Level 2

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

Traffic volume[1]	3,000 vpd to 7,000 vpd
Target speed[2]	60 kph[8] or 50km/h reduced to 40kph at schools.

Carriageway width[3], cycle lane provision, parking provision and bus stops within street reservation	▪ 3.5m minimum lane width in each direction of travel. ▪ 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections. ▪ 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium. ▪ 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium. ▪ For on-street cycling, increase the minimum clear carriageway in each direction by: – 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or – 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway – 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or – 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway. ▪ An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided. ▪ Bus stops located at the kerbside, not indented within the verge.
Verge width[4]	▪ 6m minimum each side (plus central median).
Kerbing[5]	▪ Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.
Footpath and cycle path provision	▪ 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or ▪ 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway. ▪ Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. ▪ Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

Arterial Road

Traffic volume[1]	Greater than 7000vpd
Target speed[2]	Arterial road design as required by the relevant roads authority.
Carriageway width[3] & parking provision within street reservation	Arterial road design as required by the relevant roads authority.

Verge width[4]	Arterial road design as required by the relevant roads authority.
Kerbing[5]	Arterial road design as required by the relevant roads authority.
Footpath & cycle path provision	3m wide shared path on each side or as otherwise required by the relevant roads authority.

Key to Table C1

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.
2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.
3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.
4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.
5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.
6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.
7. 50kph is the default urban speed limit in Victoria.
8. Target speed must not exceed the legal speed limit.

56.07 INTEGRATED WATER MANAGEMENT

29/10/2015
VC101

56.07-1 Drinking water supply objectives

09/10/2006
VC42

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

56.07-2 Reused and recycled water objective

20/03/2023
VC229

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-3 Waste water management objective

01/07/2021
VC203

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with a domestic waste water management plan adopted by the relevant council.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

56.07-4 Stormwater management objectives

04/02/2026
VC265

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 $d_a V_{ave} < 0.35\ m^2/s$ (where, d_a = average depth in metres and V_{ave} = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

56.08 SITE MANAGEMENT

09/10/2006
VC42

56.08-1 Site management objectives

09/10/2006
VC42

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.

To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26

A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.

56.09 UTILITIES

22/08/2014
VC118

56.09-1 Shared trenching objectives

22/08/2014
VC118

To maximise the opportunities for shared trenching.

To minimise constraints on landscaping within street reserves.

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

56.09-2 Electricity and telecommunications objectives

01/01/2024
VC250

To provide public utilities to each lot in a timely, efficient and cost effective manner.

To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

56.09-3 Fire hydrants objective

15/09/2008
VC49

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

56.09-4 Public lighting objective

09/10/2006
VC42

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.

To provide pedestrians with a sense of personal safety at night.

To contribute to reducing greenhouse gas emissions and to saving energy.

Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.

57
24/09/2026
VC315

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:

- 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), (1)(e), (1)(f), (1A)(b) to (h), (1A)(j) and (1B) of the Act; and
- Section 84B(2)(b) to (g) and (2)(i) to (jb) of the Act.

57.01 APPLICATION REQUIREMENTS

16/04/2026
VC300

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 Site description

16/04/2026
VC300

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 Design response

24/09/2026
VC315

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.

- Irrigation system to support existing and planted vegetation including details of any alternative water supply sources.
- Selection of canopy trees and vegetation, including species, that responds to the site's environment, location 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.

57.02 URBAN CONTEXT

16/04/2026
VC300

57.02-1 Street setback objectives

24/09/2026
VC315

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 new 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.

57.02-2 Side and rear setbacks objectives

17/04/2026
VC308

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.

Pergolas and shade sails may encroach into the side and rear setbacks.

Diagram E2-2.1 Side and rear setbacks

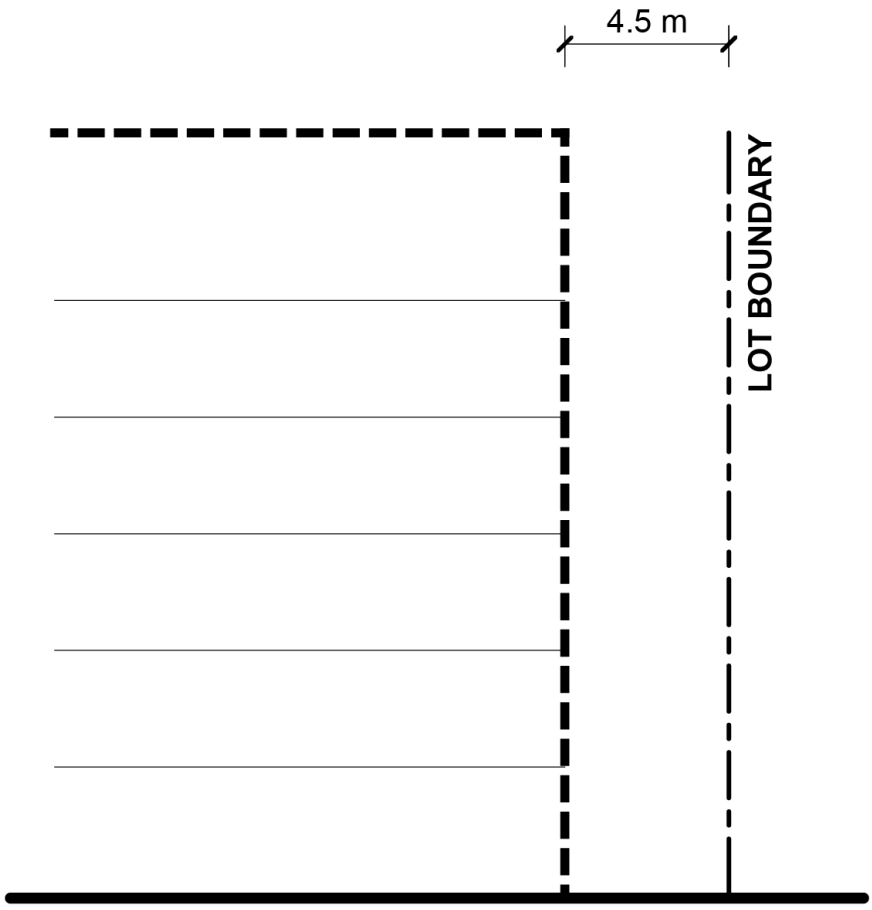
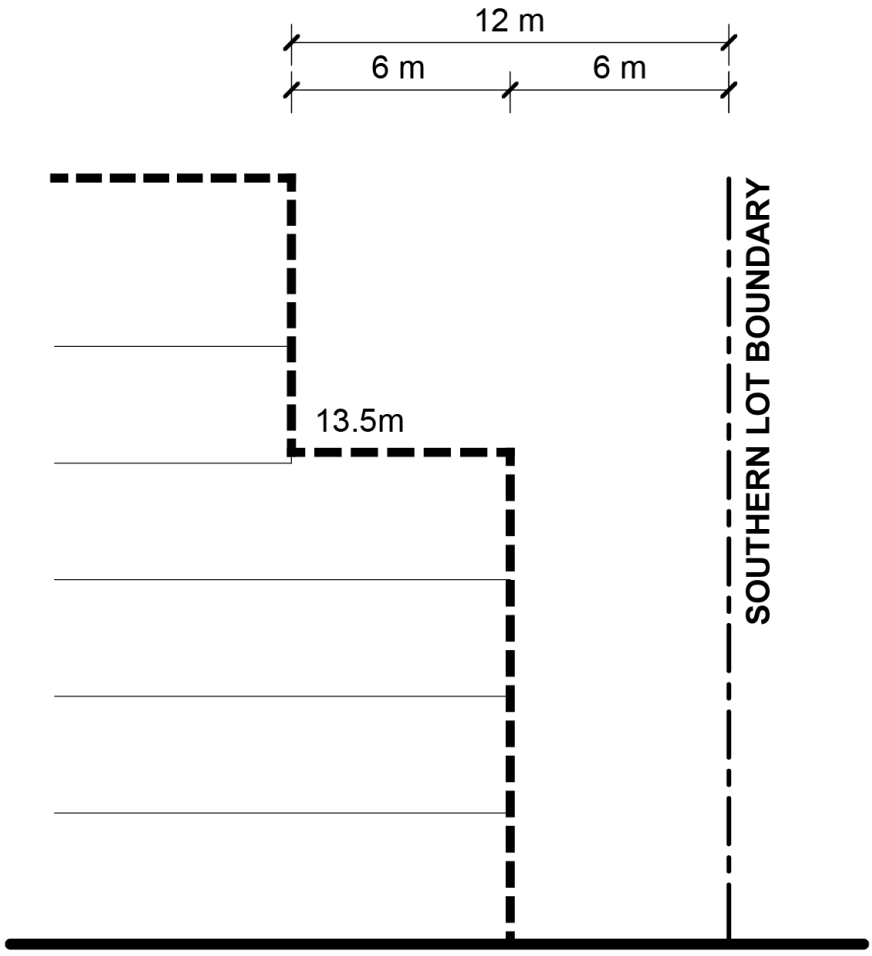


Diagram E2-2.2 Side and rear setbacks to a southern boundary



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.

57.02-3 Walls on boundaries objective

16/04/2026
VC300

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.

57.02-4 Site coverage objective

16/04/2026
VC300

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 Access objectives

16/04/2026
VC300

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 Tree canopy objectives

24/09/2026
VC315

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

In this standard:

- ***average canopy diameter*** means the average of the measurements of the distance between the widest points of a tree's drip line (the outer edge of foliage) in two perpendicular directions;
- ***canopy cover*** means the area of a tree's canopy;
- ***existing canopy tree*** means a tree that has:
  - a height of at least 5 metres above ground level; and

- an average canopy diameter of at least 4 metres; and
- a trunk that is located at least 4 metres from existing and proposed buildings.

- ***new canopy tree*** means a tree proposed to be planted that is of a species and type that at maturity is expected to have:
  - a height of at least 6 metres above ground level; and
  - a canopy diameter of at least 4 metres.

Basements of a building are setback at least 3 metres from the frontage and at least one other boundary.

The total canopy cover provided with the development is equivalent to at least the percentage of the site area specified in Column 2 to Table E2-6.1 corresponding to the applicable site area specified in Column 1.

Table E2-6.1 Canopy cover

Column 1 Site area	Column 2 Canopy cover
1000 square metres or less	10 per cent of site area
More than 1000 square metres to 1500 square metres	15 per cent of site area
More than 1500 square metres	20 per cent of site area

The canopy cover requirement can only be met by retaining an existing canopy tree, planting a new canopy tree or a combination of both, within the site.

The total canopy cover required by Table E2-6.1 includes:

- The total canopy cover of an existing canopy tree, whether or not the canopy cover is wholly contained within the boundaries of the site.
- The canopy cover within the boundaries of the site of a new canopy tree and any part of the canopy cover overhanging land in a public road or public open space.
- The canopy cover of an existing canopy tree and a new canopy tree that extends below, or overhangs, an existing or proposed building located on the site.
- Any overlapping canopy cover of an existing canopy tree or a new canopy tree provided that the overlapping canopy cover is only counted once.

At least one existing canopy tree or new canopy tree is to be located within the front setback. This does not apply if it is proposed to retain one existing canopy tree that meets the minimum total canopy cover requirement and that tree is not located in the front setback.

Each new canopy tree is planted in either deep soil or a planter that meets the following requirements:

- Deep soil must be at least the area and plan dimension specified in Columns 2 and 5, respectively, of Table E2-6.2 corresponding to the tree's expected canopy diameter at maturity specified in Column 1.
- A planter must be at least the soil volume, soil depth, and plan dimension, specified in Columns 3, 4 and 5 of Table E2-6.2 corresponding to the tree's expected canopy diameter at maturity specified in Column 1.
- If two or more new canopy trees are to be planted in the same area of deep soil, the required area of deep soil can be reduced by the percentage specified in Column 2 of Table E2-6.3 corresponding to the number of trees specified in Column 1.

Table E2-6.2 Deep soil and planter requirements

Column 1 Expected canopy diameter at maturity	Column 2 Minimum deep soil area	Column 3 Minimum tree in planter soil volume	Column 4 Minimum tree in planter soil depth	Column 5 Minimum deep soil or tree in planter plan dimension
4 metres and less than 5 metres	12 square metres	8 cubic metres	0.8 metres	2.5 metres
5 metres and less than 6 metres	16 square metres	12 cubic metres	0.8 metres	3 metres
6 metres and less than 7 metres	25 square metres	17 cubic metres	0.8 metres	3.5 metres
7 metres and less than 8 metres	36 square metres	23 cubic metres	0.8 metres	4 metres
8 metres and less than 9 metres	49 square metres	30 cubic metres	1.0 metres	4.5 metres
9 metres and less than 10 metres	64 square metres	38 cubic metres	1.0 metres	5 metres
10 metres and less than 11 metres	81 square metres	47 cubic metres	1.0 metres	5.5 metres
11 metres and less than 12 metres	100 square metres	57 cubic metres	1.0 metres	6 metres
12 metres and less than 13 metres	121 square metres	68 cubic metres	1.5 metres	6.5 metres
13 metres and less than 14 metres	136 square metres	80 cubic metres	1.5 metres	7 metres
14 metres and greater	144 square metres	92 cubic metres	1.5 metres	7.5 metres

Table E2-6.3 Reduced deep soil area

Column 1 Number of new canopy trees to be planted in same area of deep soil	Column 2 Percentage reduction of area of deep soil
2	5 per cent
3	10 per cent
4	15 per cent
5	20 per cent
6 or more	25 per cent

The following can encroach into the total area of deep soil:

- Impervious surfaces by no more than 10 per cent.
- Unroofed decking by no more than 50 per cent, provided the gap between the decking boards is at least:
  - 4 millimetres for decking boards not more than 90 millimetres wide.

- 5 millimetres for decking boards more than 90 millimetres wide.
- 8 millimetres if the deck is less than 400 millimetres above ground level.

- An eave not exceeding a width of 600 millimetres.

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.
- The suitability of providing deep soil area within an easement on the subject land.

57.02-7 Front fences objective

24/09/2026
VC315

To encourage front fence design that responds to the future urban development of the area.

Standard E2-7

Either the development:

- does not include a new, or an extension to an existing, front fence within three metres of a street; or
- includes a new, or extension to an existing, front fence within 3 metres of a street if the height of the fence does not exceed:
  - 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 LIVEABILITY

16/04/2026
VC300

57.03-1 Parking location objective

16/04/2026
VC300

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 Street integration objectives

16/04/2026
VC300

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.

57.03-3 Building entry and circulation objectives

16/04/2026
VC300

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.

57.03-4 Private open space objective

17/04/2026
VC308

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 Communal space objectives

17/04/2026
VC308

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 Functional layout objective

17/04/2026
VC308

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 Room depth objective

16/04/2026
VC300

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 Daylight to new windows objective

16/04/2026
VC300

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 Natural ventilation objectives

16/04/2026
VC300

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 Storage objective

16/04/2026
VC300

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 Accessibility objective

16/04/2026
VC300

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

	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 Building separation within a site objective

16/04/2026
VC300

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

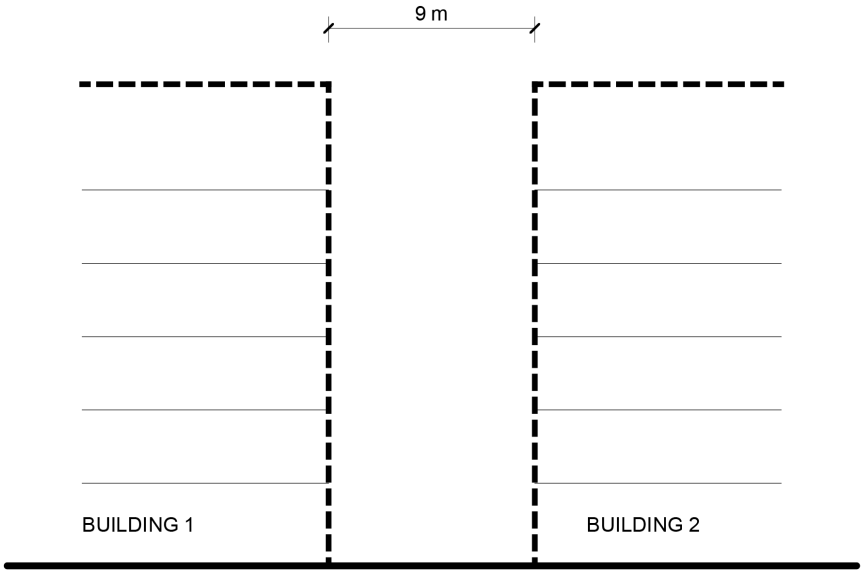
Walls of buildings that contain a habitable room window or balcony are set back from other walls of buildings on a site by at least 9 metres. This does not apply to a wall that forms part of a light court.

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 Light courts objective

16/04/2026
VC300

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.

- Whether the light court provides adequate daylight to a new bedroom or non-habitable room window.
- The arrangement of windows facing the light court.

57.04 EXTERNAL AMENITY

16/04/2026
VC300

57.04-1 Overshadowing secluded private open space objective

16/04/2026
VC300

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.

57.04-2 Overlooking objective

17/04/2026
VC308

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.

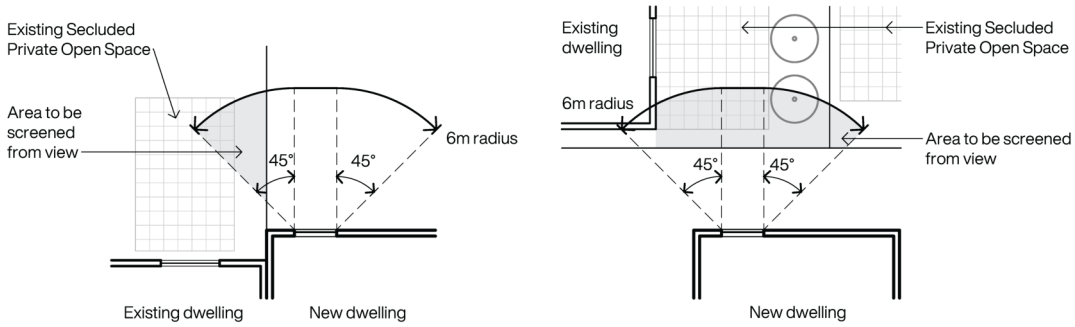
Screens used to obscure a view are:

- 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.

57.05 SUSTAINABILITY

16/04/2026
VC300

57.05-1 Permeability and stormwater management objectives

24/09/2026
VC315

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 demonstrating a minimum 100 per cent Blue Factor tool score, or documentation from Model for Urban Stormwater Improvement Conceptualisation (MUSIC) or an equivalent product accepted by the responsible authority showing 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.

57.05-2 Waste and recycling objectives

16/04/2026
VC300

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 Noise impacts objectives

17/04/2026
VC308

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:

- 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 Energy efficiency objectives

16/04/2026
VC300

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
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

58
16/04/2026
VC300

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 URBAN CONTEXT REPORT AND DESIGN RESPONSE

16/01/2018
VC142

58.01-1 Application requirements

13/04/2017
VC136

An application must be accompanied by:

- An urban context report.
- A design response.

58.01-2 Urban context report

16/01/2018
VC142

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

58.01-3 Design response

20/12/2021
VC174

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Selects materials and finishes for the external walls.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.

58.02 URBAN CONTEXT

31/07/2018
VC148

58.02-1 Urban context objectives

13/04/2017
VC136

To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

Standard D1

The design response must be appropriate to the urban context and the site.

The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

58.02-2 Residential policy objectives

31/07/2018
VC148

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

58.02-3 Dwelling diversity objective

13/04/2017
VC136

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

58.02-4 Infrastructure objectives

01/01/2024
VC250

To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

Standard D4

Development should be connected to reticulated services, including reticulated sewerage, drainage and electricity, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, a Land Capability Assessment on the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

58.02-5 Integration with the street objective

20/12/2021
VC174

To integrate the layout of development with the street.

To support development that activates street frontage.

Standard D5

Development should be oriented to front existing and proposed streets.

Along street frontage, development should:

- Incorporate pedestrian entries, windows, balconies or other active spaces.
- Limit blank walls.
- Limit high front fencing, unless consistent with the existing urban context.
- Provide low and visually permeable front fences, where proposed.
- Conceal car parking and internal waste collection areas from the street.

Development next to existing public open space should be designed to complement the open space and facilitate passive surveillance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

58.03 SITE LAYOUT

31/07/2018
VC148

58.03-1 Energy efficiency objectives

14/12/2023
VC253

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard D6

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings or small second dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

NatHERS climate zone	NatHERS maximum cooling load MJ/M² per annum
Climate zone 21 Melbourne	30
Climate zone 22 East Sale	22
Climate zone 27 Mildura	69
Climate zone 60 Tullamarine	22
Climate zone 62 Moorabbin	21
Climate zone 63 Warrnambool	21
Climate zone 64 Cape Otway	19
Climate zone 66 Ballarat	23

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.

58.03-2 Communal open space objective

14/12/2023
VC253

To provide communal open space that meets the recreation and amenity needs of residents.

To ensure that communal open space is accessible, practical, attractive, easily maintained.

To ensure that communal open space is integrated with the layout of the development and enhances resident amenity.

Standard D7

A development of 10 or more dwellings should provide a minimum area of communal outdoor open space of 30 square metres.

If a development contains 13 or more dwellings, the development should also provide an additional minimum area of communal open space of 2.5 square metres per dwelling or 220 square metres, whichever is the lesser. This additional area may be indoors or outdoors and may consist of multiple separate areas of communal open space.

Each area of communal open space should be:

- Accessible to all residents.
- A useable size, shape and dimension.
- Capable of efficient management.
- Located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings and existing small second dwellings.

Any area of communal outdoor open space should be landscaped and include canopy cover and trees.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The availability of and access to public open space.

58.03-3 Solar access to communal outdoor open space objective

13/04/2017
VC136

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

58.03-4 Safety objective

13/04/2017
VC136

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-5 Landscaping objectives

15/03/2024
VC256

To provide landscaping that supports the existing or preferred urban context of the area and reduces the visual impact of buildings on the streetscape.

To preserve existing canopy cover and support the provision of new canopy cover.

To ensure landscaping is climate responsive, supports biodiversity, wellbeing and amenity and reduces urban heat.

Standard D10

Development should retain existing trees and canopy cover.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

Development should:

- Provide the canopy cover and deep soil areas specified in Table D2. Existing trees can be used to meet the canopy cover requirements of Table D2.
- Provide canopy cover through canopy trees that are:
  - Located in an area of deep soil specified in Table D3. Where deep soil cannot be provided trees should be provided in planters specified in Table D3.
  - Consistent with the canopy diameter and height at maturity specified in Table D4.
  - Located in communal outdoor open space or common areas or street frontages.
- Comprise smaller trees, shrubs and ground cover, including flowering native species.
- Include landscaping, such as climbing plants or smaller plants in planters, in the street frontage and in outdoor areas, including communal outdoor open space.
- Shade outdoor areas exposed to summer sun through landscaping or shade structures and use paving and surface materials that lower surface temperatures and reduce heat absorption.
- Be supported by irrigation systems which utilise alternative water sources such as rainwater, stormwater and recycled water.
- Protect any predominant landscape features of the area.

- Take into account the soil type and drainage patterns of the site.
- Provide a safe, attractive and functional environment for residents.
- Specify landscape themes, vegetation (location and species), irrigation systems, paving and lighting.

Table D2 Canopy cover and deep soil requirements

Site area	Canopy cover	Deep soil
1000 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 Access objective

20/12/2021
VC174

To ensure that vehicle crossovers are designed and located to provide safe access for pedestrians, cyclists and other vehicles.

To ensure the vehicle crossovers are designed and located to minimise visual impact.

Standard D11

Vehicle crossovers should be minimised.

Car parking entries should be consolidated, minimised in size, integrated with the façade and where practicable located at the side or rear of the building.

Pedestrian and cyclist access should be clearly delineated from vehicle access.

The location of crossovers should maximise pedestrian safety and the retention of on-street car parking spaces and street trees.

Developments must provide for access for service, emergency and delivery vehicles.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the street.
- The impact on the safety of pedestrians or cyclists.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and road reserve.

58.03-7 Parking location objectives

13/04/2017
VC136

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.03-8 Integrated water and stormwater management objectives

04/02/2026
VC265

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 AMENITY IMPACTS

13/04/2017
VC136

58.04-1 Building setback objectives

14/12/2023
VC253

To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

To limit views into habitable room windows and private open space of new and existing dwellings.

To provide a reasonable outlook from new dwellings and existing small second dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings and existing small second dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings and existing small second dwellings.
- The existing extent of overlooking into existing dwellings or small second dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

58.04-2 Internal views objective

13/04/2017
VC136

To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

58.04-3 Noise impacts objectives

14/12/2023
VC253

To contain noise sources in developments that may affect existing dwellings or small second dwellings.

To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings or small second dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D5 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D5 Noise influence area

Noise source	Noise influence area
Zone interface	
Industry	300 metres from the Industrial 1, 2 and 3 zone boundary
Roads	
Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume	300 metres from the nearest trafficable lane
Railways	
Railway servicing passengers in Victoria	80 metres from the centre of the nearest track
Railway servicing freight outside Metropolitan Melbourne	80 metres from the centre of the nearest track
Railway servicing freight in Metropolitan Melbourne	135 metres from the centre of the nearest track

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling or small second dwelling and the site context.

58.04-4 Wind impacts objective

04/05/2022
VC210

To ensure the built form, design and layout of development does not generate unacceptable wind impacts within the site or on surrounding land.

Standard D17

Development of five or more storeys, excluding a basement should:

- not cause unsafe wind conditions specified in Table D6 in public land, publicly accessible areas on private land, private open space and communal open space; and
- achieve comfortable wind conditions specified in Table D6 in public land and publicly accessible areas on private land

within a distance of half the greatest length of the building, or half the total height of the building measured outwards on the horizontal plane from the ground floor building façade, whichever is greater.

Trees and landscaping should not be used to mitigate wind impacts. This does not apply to sitting areas, where trees and landscaping may be used to supplement fixed wind mitigation elements.

Wind mitigation elements, such as awnings and screens should be located within the site boundary, unless consistent with the existing urban context or preferred future development of the area.

Table D6 Wind conditions

Unsafe	Comfortable
Annual maximum 3 second gust wind speed exceeding 20 metres per second with a probability of exceedance of 0.1% considering at least 16 wind directions.	Hourly mean wind speed or gust equivalent mean speed (3 second gust wind speed divided by 1.85), from all wind directions combined with probability of exceedance less than 20% of the time, equal to or less than: ▪ 3 metres per second for sitting areas, ▪ 4 metres per second for standing areas, ▪ 5 metres per second for walking areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The urban context report.
- The design response.

- The safety, functionality and amenity of public, private and communal open space areas.
- Whether it has been demonstrated by a suitably qualified specialist that the development will not generate unacceptable wind impacts within the site or on surrounding land.

58.05 ON-SITE AMENITY AND FACILITIES

13/04/2017
VC136

58.05-1 Accessibility objective

04/05/2022
VC210

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D18

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D7.

Table D7 Bathroom design

	Design option A	Design option B
Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.
Door design	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards that is clear of the circulation area and has readily removable hinges.	Either: ▪ A slide door, or ▪ A door that opens outwards, or ▪ A door that opens inwards and has readily removable hinges.
Circulation area	A clear circulation area that is: ▪ A minimum area of 1.2 metres by 1.2 metres. ▪ Located in front of the shower and the toilet. ▪ Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: ▪ A minimum width of 1 metre. ▪ The full length of the bathroom and a minimum length of 2.7 metres. ▪ Clear of the toilet and basin. The circulation area can include a shower area.
Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.
Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.
Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.

58.05-2 Building entry and circulation objectives

04/05/2022
VC210

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard D19

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

58.05-3 Private open space objective

04/05/2022
VC210

To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D20

A dwelling should have private open space consisting of at least one of the following:

- An area at ground level of at least 25 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- A balcony with at least the area and dimensions specified in Table D8 and convenient access from a living room.
- An area on a podium or other similar base of at least 15 square metres, with a minimum dimension of 3 metres and convenient access from a living room.
- An area on a roof of 10 square metres, with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the minimum balcony area specified in Table D8 should be increased by at least 1.5 square metres.

If the finished floor level of a dwelling is 40 metres or more above ground level, the requirements of Table D8 do not apply if at least the area specified in Table D9 is provided as living area or bedroom area in addition to the minimum area specified in Table D11 or Table D12 in Standard D25.

Table D8 Balcony size

Orientation of dwelling	Dwelling type	Minimum area	Minimum dimension
North (between north 20 degrees west to north 30 degrees east)	All	8 square metres	1.7 metres
South (between south 30 degrees west to south 30 degrees east)	All	8 square metres	1.2 metres
Any other orientation	Studio or 1 bedroom dwelling	8 square metres	1.8 metres
	2 bedroom dwelling	8 square metres	2 metres
	3 or more bedroom dwelling	12 square metres	2.4 metres

Table D9 Additional living area or bedroom area

Dwelling type	Additional area
Studio or 1 bedroom dwelling	8 square metres
2 bedroom dwelling	8 square metres
3 or more bedroom dwelling	12 square metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, noise exposure, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
- The useability and functionality of any additional living area or bedroom area, including its size and layout.

58.05-4 Storage objective

04/05/2022
VC210

To provide adequate storage facilities for each dwelling.

Standard D21

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D10.

Table D10 Storage

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
Studio	8 cubic metres	5 cubic metres
1 bedroom dwelling	10 cubic metres	6 cubic metres

Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling
2 bedroom dwelling	14 cubic metres	9 cubic metres
3 or more bedroom dwelling	18 cubic metres	12 cubic metres

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

58.06 DETAILED DESIGN

13/04/2017
VC136

58.06-1 Common property objectives

04/05/2022
VC210

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard D22

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

58.06-2 Site services objectives

04/05/2022
VC210

To ensure that site services are accessible and can be installed and maintained.

To ensure that site services and facilities are visually integrated into the building design or landscape.

Standard D23

Development should provide adequate space (including easements where required) for site services to be installed and maintained efficiently and economically.

Meters and utility services should be designed as an integrated component of the building or landscape.

Mailboxes and other site facilities should be adequate in size, durable, water-protected, located for convenient access and integrated into the overall design of the development.

Decision guideline

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.

58.06-3 Waste and recycling objectives

04/05/2022
VC210

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard D24

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

58.06-4 External walls and materials objective

04/05/2022
VC210

To ensure external walls use materials appropriate to the existing urban context or preferred future development of the area.

To ensure external walls endure and retain their attractiveness.

Standard D25

External walls should be finished with materials that:

- Do not easily deteriorate or stain.
- Weather well over time.
- Are resilient to the wear and tear from their intended use.

External wall design should facilitate safe and convenient access for maintenance.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant building design and urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

58.07 INTERNAL AMENITY

13/04/2017
VC136

58.07-1 Functional layout objective

04/05/2022
VC210

To ensure dwellings provide functional areas that meet the needs of residents.

Standard D26

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D11.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D11 Bedroom dimensions

Bedroom type	Minimum width	Minimum depth
Main bedroom	3 metres	3.4 metres
All other bedrooms	3 metres	3 metres

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D12.

Table D12 Living area dimensions

Dwelling type	Minimum width	Minimum area
Studio and 1 bedroom dwelling	3.3 metres	10 sqm
2 or more bedroom dwelling	3.6 metres	12 sqm

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

58.07-2 Room depth objective

04/05/2022
VC210

To allow adequate daylight into single aspect habitable rooms.

Standard D27

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

58.07-3 Windows objective

04/05/2022
VC210

To allow adequate daylight into new habitable room windows.

Standard D28

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

58.07-4 Natural ventilation objectives

04/05/2022
VC210

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

Standard D29

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.

- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.

59 VICSMART APPLICATIONS AND REQUIREMENTS

31/07/2018
VC148

59.01 REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

31/07/2018
VC148

59.01-1 Information requirements

01/07/2021
VC203

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and the risks to human health and the environment of a on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

59.01-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.

  - Appropriately accommodate any existing or proposed easements on the lots.
  - Protect solar access for existing and any future dwellings on the lots.
  - Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
  - Appropriately accommodate private open space.
  - Appropriately accommodate the provision of utility services to each lot.
  - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
  - Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
  - Appropriately accommodate the existing use and possible future development of the land.
- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

59.02 SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

31/07/2018
VC148

59.02-1 Information requirements

01/07/2021
VC203

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a Land Capability Assessment which demonstrates that each lot is capable of treating and retaining all wastewater and manage the risks to human health and the environment of an on-site wastewater management system constructed, installed or altered on the lot in accordance with the requirements of the Environment Protection Regulations under the *Environment Protection Act 2017*.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

59.02-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.

  - Appropriately accommodate any existing loading bay and vehicle storage area.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.
- Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

59.03 FRONT FENCE IN A RESIDENTIAL ZONE

31/07/2018
VC148

59.03-1 Information requirements

31/07/2018
VC148

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

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

59.03-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.

59.04 BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

31/07/2018
VC148

59.04-1 Information requirements

08/09/2025
VC282

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
  - The built form and character of adjoining and nearby buildings.
  - The heritage character of any adjoining heritage places.
  - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
  - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
  - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
    - A2-3 Side and rear setbacks.
    - A2-4 Walls on boundaries.
    - A4-1 Daylight to existing windows.
    - A4-2 Existing north-facing windows.
    - A4-3 Overshadowing secluded open space.

- A4-4 Overlooking.
- A5-2 Overshadowing domestic solar energy systems.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

59.04-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.

59.05 BUILDINGS AND WORKS IN AN OVERLAY

31/07/2018
VC148

59.05-1 Information requirements

08/09/2025
VC282

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Significant Landscape Overlay, a written description of the proposal including:
  - How the proposal responds to the landscape significance and objectives specified in a schedule to the overlay.
  - The impact of the proposed buildings and works on the significance of the landscape.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clauses 54.02-1, 54.02-2, 54.02-3, 54.02-4, 54.02-5, 54.02-7, 54.03-1, 54.04-1, 54.04-2, 54.05-1, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

59.05-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.

59.06 REMOVE, DESTROY OR LOP ONE TREE

20/03/2023
VC229

59.06-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

59.06-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.

59.07 APPLICATIONS UNDER A HERITAGE OVERLAY

31/07/2018
VC148

59.07-1 Information requirements

04/11/2022
VC226

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy system (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the planning scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy system is proposed that is visible from a street (other than a lane) or public park, measures proposed to minimise the visibility of the system and protect the structural integrity of heritage features.

59.07-2 Decision guidelines

04/11/2022
VC226

In assessing an application the responsible authority must consider as appropriate:

General

- The significance of the heritage place and whether the proposal will adversely affect that significance.

- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Any relevant local heritage policy set out in the planning scheme.

Demolition

- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

Buildings and works

- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

Alterations

- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

Fences

- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

Trees

- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

Subdivision

- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

Signage

- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

Solar energy systems

- Any relevant building design or energy policy set out in the Planning Policy Framework.
- Whether the proposed solar energy system can be sited to minimise visibility from a street or public park without significantly impacting its performance.
- Whether the proposed solar energy system can be designed to minimise the impact on the significance, character or appearance of the heritage place.

59.08 APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

31/07/2018
VC148

59.08-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

59.08-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

59.09 SIGNS

31/07/2018
VC148

59.09-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

59.09-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.

  - The extent to which the proposed sign requires the removal of vegetation.

- Whether the proposed sign is consistent with any outdoor advertising theme.
- Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
- Whether the proposed sign will adversely impact road safety.

59.10 CAR PARKING

31/07/2018
VC148

59.10-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area's existing car parking.

59.10-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.

- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.

59.11 TWO LOT RESIDENTIAL SUBDIVISION

16/10/2025
VC288

59.11-1 Information requirements

16/10/2025
VC288

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

- A copy of title for the land and a copy of any registered restrictive covenant.
- A site and context description in accordance with clause 59.11-1.1.
- A design response in accordance with clause 59.11-1.2.

59.11-1.1 Site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe in relation to the site:

- Site shape, size, dimensions and orientation.
- Levels and contours of the site.
- Location and details of trees and other significant vegetation.
- Location and use of existing buildings on the site.
- Location and dimensions of easements on the site.
- Location of vehicle and pedestrian access, car parking, storage areas (including waste bin storage) and private open space on the site.
- Soil conditions of the site, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
- Location of adjacent roads and street frontage features such as poles, infrastructure pits, street trees and kerb crossovers.
- Location of drainage and other utilities.
- Noise and odour sources or other external influences.
- Adjacent uses.
- Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

59.11-1.2 Design response

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Meets the following objectives of clause 56:
  - Clause 56.04-2 Lot area and building envelopes objective.
  - Clause 56.04-5 Common area objective.
  - Clause 56.06-8 Lot access objective.
  - Clause 56.07-4 Stormwater management objective.

The design response must include a dimensioned plan to scale showing:

- The layout of the subdivision in context with the surrounding area, including the boundaries, dimensions and areas of the proposed lots.
- Proposed common property, easements, and vehicle and pedestrian access.
- If a proposed lot contains an existing dwelling proposed to be retained, the location and dimensions of the private open space, vehicle access and car parking for that dwelling.

59.11-2 Decision guidelines

16/10/2025
VC288

In assessing an application the responsible authority must consider as appropriate:

- The objectives and standards in the following clauses:
  - Clause 56.04-2 Lot area and building envelopes objective.
  - Clause 56.04-5 Common area objective.
  - Clause 56.06-8 Lot access objective.
  - Clause 56.07-4 Stormwater management objective.
- The area and dimensions of each lot in the subdivision.
- The suitability of the land for subdivision.
- The provision of private open space, car parking and access for a lot containing an existing dwelling proposed to be retained.
- The location, dimensions and gradient of proposed vehicle access.
- The effect of development on the use or development of other land which has a common means of drainage.
- The provision of off-street parking.
- The provision and location of common property.
- The effect on the environment, human health and amenity of the area.
- The degree of flood or erosion associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

59.12 TWO LOT SUBDIVISION IN A RURAL ZONE

31/07/2018
VC148

59.12-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

59.12-2 Decision guidelines

31/07/2018
VC148

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Any Regional Catchment Strategy applying to the land.
- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the *Subdivision Act 1988*.

59.13 BUILDINGS AND WORKS IN A RURAL ZONE

31/07/2018
VC148

59.13-1 Information requirements

31/07/2018
VC148

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

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

59.13-2 Decision guidelines

03/02/2022
VC199

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.

- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

59.14 [NO CONTENT]

08/09/2025
VC282

59.15 LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.

31/07/2018
VC148

SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

1.0

10/09/2021
C126hbay

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

10/09/2021
C126hbay

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

10/09/2021
C126hbay

Table 3 Classes of VicSmart application under particular provisions

Name of particular provision	Class of application	Permit requirement provision	Information requirements and decision guidelines
None specified			

59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

31/07/2018
VC148

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.

10/09/2021
C126hbay

SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements

10/09/2021
C126hbay

None specified.

2.0 Decision guidelines

10/09/2021
C126hbay

None specified.

60 GENERAL PROVISIONS

31/07/2018
VC148

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.

61 [NO CONTENT]

31/07/2018
VC148

62 GENERAL EXEMPTIONS

31/07/2018
VC148

62.01 USES NOT REQUIRING A PERMIT

14/12/2023
VC253

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a telecommunications facility.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- The use of land for environmental monitoring (including monitoring groundwater, noise or air quality) carried out by or on behalf of the Head, Transport for Victoria.
- The use of land for an Electorate office.
- The use of land for a moveable unit as defined in the *Housing Act 1983*, carried out by or on behalf of the Chief Executive Officer, Homes Victoria.

62.02 BUILDINGS AND WORKS

15/03/2019
VC157

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-1 Buildings and works not requiring a permit

14/12/2023
VC253

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the *Dangerous Goods Act 1985* or the *Occupational Health and Safety Act 2004* or a Development Licence, Operating Licence or notice under the *Environment Protection Act 2017*.
- Buildings and works for a telecommunications facility exempt from a permit under clause 52.19-1.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the *Water Act 1989*.
- Buildings and works associated with a carnival or circus if the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children's cubbyhouse.
- External lighting normal to a dwelling or small second dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the *Water Act 1989*.

- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.
- An annexe attached to a movable caravan located on land used for a camping and caravan park.
- Works associated with geotechnical testing or service proving.
- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.
- Temporary buildings and works associated with environmental monitoring (including monitoring groundwater, noise or air quality) constructed or carried out by or on behalf of the Head, Transport for Victoria.

62.02-2 Buildings and works not requiring a permit unless specifically required by the planning scheme

14/12/2023
VC253

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Buildings and works associated with a railway, railway station or tramway constructed or carried out by or on behalf of the Head, Transport for Victoria. If the buildings or works are on land in an Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay and will redirect or obstruct the water flow path, they must be constructed and carried out to the satisfaction of the relevant floodplain management authority.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a moveable unit as defined in the *Housing Act 1983*, carried out by or on behalf of the Chief Executive Officer, Homes Victoria.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.

- Domestic services normal to a dwelling or small second dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling or small second dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling or small second dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy system attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling or small second dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

62.02-3 Vegetation removal

30/08/2006
VC40

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.

62.03 EVENTS AND OUTDOOR DINING ON PUBLIC LAND

27/06/2025
VC275

62.03-1 Events

27/06/2025
VC275

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.

62.03-2 Outdoor dining

27/06/2025
VC275

In this clause:

Dining means the consumption of food or drink, including liquor. It includes the preparation or sale of food or drink, including liquor, for immediate consumption on, or off, the land.

Exemption from planning scheme requirements

Any requirement in this scheme relating to the use of land, the construction of a building, the construction or carrying out of works, or provision of car parking, including preparation of a car parking plan under Clause 52.06, does not apply to:

- The use of a road or other public land for outdoor dining if the use is associated with the use of adjoining land and is authorised under a local law or by the public land manager.
- Street and park furniture including, seats, tables, marquees, covered and uncovered pergolas or similar shade sails, bollards, traffic control devices and platforms associated with outdoor dining in a road or other public land on adjoining land and is authorised under a local law or by the public land manager.

62.04 SUBDIVISIONS NOT REQUIRING A PERMIT

28/03/2018
VC145

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.

62.05 DEMOLITION

17/02/2022
VC200

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.

Any requirement in this planning scheme (other than a requirement in a Heritage Overlay) relating to the demolition or removal of a building or works does not apply to the demolition of removal of a building or works associated with a car park, railway, railway station or tramway carried out by or on behalf of the Head, Transport for Victoria.

62.06 DELIVERY OF ESSENTIAL GOODS PERMIT CONDITION EXEMPTION

28/10/2022
VC224

The purpose of this exemption is to enable additional flexibility for deliveries of essential goods if the time within which a delivery may be carried out is regulated by a permit condition.

In this exemption, ***delivery*** includes loading, dispatching and unloading.

This exemption applies to the delivery of food, drink, groceries, medicine, or cleaning, sanitising, health, hygiene, medical or personal protection equipment, supplies, or products, or the like.

Despite any condition of a permit that specifies a period of time within which a delivery may be carried out, a delivery may be carried out for up to 1 hour before the start of the specified period and 1 hour after the end of the specified period.

Example: *If a condition of a permit only allows deliveries between the hours of 7am and 10pm, the delivery may be carried out under this exemption after 6am and up until 11pm.*

63 EXISTING USES

28/03/2018
VC145

63.01 EXTENT OF EXISTING USE RIGHTS

28/03/2018
VC145

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.

63.02 CHARACTERISATION OF USE

31/07/2018
VC148

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.

63.03 EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

28/03/2018
VC145

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.

63.04 SECTION 1 USES

28/03/2018
VC145

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.

63.05 SECTIONS 2 AND 3 USES

28/03/2018
VC145

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.

63.06 EXPIRATION OF EXISTING USE RIGHTS

28/03/2018
VC145

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.

63.07 COMPLIANCE WITH CODES OF PRACTICE

28/03/2018
VC145

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and *Lands Act 1987*.
- The code of practice is approved or ratified by Parliament under an Act.

63.08 ALTERNATIVE USE

28/03/2018
VC145

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.

63.09 SHOP CONDITIONS

28/03/2018
VC145

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.

63.10 DAMAGED OR DESTROYED BUILDINGS OR WORKS

28/03/2018
VC145

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.

63.11 PROOF OF CONTINUOUS USE

12/02/2024
VC254

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for a period of 15 years at any time before the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately before or during the 15 year period, unless any of the following apply:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
- The use ceased between the end of the 15 year period and the date of the application or proceeding.

63.12 DECISION GUIDELINES

28/03/2018
VC145

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.

64 GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND

28/03/2018
VC145

64.01 LAND USED FOR MORE THAN ONE USE

28/03/2018
VC145

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.

64.02 LAND USED IN CONJUNCTION WITH ANOTHER USE

28/03/2018
VC145

If a provision of this scheme provides that a use of land must be used 'in conjunction with' another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.

64.03 SUBDIVISION OF LAND IN MORE THAN ONE ZONE

28/03/2018
VC145

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.

65 DECISION GUIDELINES

28/03/2018
VC145

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.

65.01 APPROVAL OF AN APPLICATION OR PLAN

09/12/2021
VC204

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- Any significant effects the environment, including the contamination of land, may have on the use or development.
- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the environment, human health and amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.
- The impact the use or development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

65.02 APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

15/03/2024
VC256

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any owners corporation.
- The availability and provision of utility services, including water, sewerage, drainage, electricity, and, where the subdivision is not a residential subdivision, gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.
- The impact the development will have on the current and future development and operation of the transport system.

This clause does not apply to a VicSmart application.

66
14/05/2021
VC198

REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the kinds of applications which must be referred under section 55 of the Act or for which notice must be given under section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of section 52(1) of the Act.

These provisions also specify when a plan must be referred under section 8(1)(a) of the *Subdivision Act 1988*.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.

Any requirement for referral under this or another clause does not apply if:

- In the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal; or
- The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority (other than the Head, Transport for Victoria) under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990.*

Notice

Notice of an application of the kind listed in Clauses 66.05 and 66.06 must be given in accordance with section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.

66.01 SUBDIVISION REFERRALS

30/10/2025
VC291

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Kind of application	Referral authority	Type of referral authority
To subdivide land other than: ▪ 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 *Land Act 1958*	Determining referral authority
To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.	The relevant gas supply authority	Determining referral authority
To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority
To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.	The Executive Director specified in the *Heritage Act 2017*	Determining referral authority

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

66.01-1 Mandatory conditions for subdivision permits

04/08/2022
VC221

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas (where it is proposed to be connected) services to each lot shown on the endorsed plan in accordance with the authority's requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

66.01-2 Referrals under the Subdivision Act – certification of plans

15/09/2008
VC49

For the purpose of Section 8(1)(a) of the *Subdivision Act 1988* referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the *Land Act 1958* has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.

66.02 USE AND DEVELOPMENT REFERRALS

31/07/2018
VC148

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

66.02-1 Environment Protection Authority Licence

04/05/2022
VC210

Kind of application	Referral authority	Type of referral authority
For a use or development requiring any of the following: ▪ A Development Licence or Operating Licence in accordance with Part 4.4 of the *Environment Protection Act 2017*. ▪ Amendment of a licence in accordance with Part 4.3 of the *Environment Protection Act 2017*.	Environment Protection Authority	Determining referral authority

66.02-2 Native vegetation

30/10/2025
VC291

Kind of application	Referral authority	Type of referral authority
▪ To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Energy, Environment and Climate Action, 2025). ▪ To remove, destroy or lop native vegetation if a property vegetation plan applies to the site. ▪ To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)	Recommending referral authority

66.02-3 Cattle feedlot

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To use or develop land for a cattle feedlot.	Minister for Agriculture	Determining referral authority
	If the site is located within a special water supply catchment area under the *Catchment and Land Protection Act 1994*, the relevant water authority under the *Water Act 1989* and the Secretary to the Department administering the *Catchment and Land Protection Act 1994*	Determining referral authority
	If the number of cattle is 5000 or more, the Environment Protection Authority	Determining referral authority

66.02-4 Major electricity line or easement

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.	The relevant electricity transmission authority	Determining referral authority

66.02-5 Special water supply catchment area

22/11/2024
VC263

Kind of application	Referral authority	Type of referral authority
To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a declared Special Area classified as a Special Water Supply Catchment Area under the *Catchment and Land Protection Act 1994* and which provides water to a domestic supply. This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.	The relevant water board or water supply authority	Determining referral authority

66.02-6 Timber production

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
▪ To use or develop land for timber production by establishing a plantation. ▪ To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)	Determining referral authority

66.02-7 Industry, utility installation or warehouse

14/01/2025
VC237

Kind of application	Referral authority	Type of referral authority
▪ To use land for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met.	Environment Protection Authority	Determining referral authority
▪ To use land for an industry, utility installation or warehouse if any of the following apply: – A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2022.	The Victorian WorkCover Authority	Determining referral authority

Kind of application	Referral authority	Type of referral authority
– A notification is required under the Occupational Health and Safety Regulations 2017. – A licence is required under the Dangerous Goods (Explosives) Regulations 2011. – A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.		
▪ To construct a building or construct or carry out works on land used for an industry, utility installation or warehouse if the area of the buildings and works will increase by more than 25 per cent and any of the following apply: – A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2022. – A notification is required under the Occupational Health and Safety Regulations 2017. – A licence is required under the Dangerous Goods (Explosives) Regulations 2011. – A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.	The Victorian WorkCover Authority	Determining referral authority

66.02-8 Extractive industry

22/03/2022
VC219

Kind of application	Referral authority	Type of referral authority
▪ To use or develop land for extractive industry.	Secretary to the Department administering the *Heritage Act 2017*. Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Determining referral authority
▪ To use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.	Secretary to the Department administering the *Mineral Resources (Sustainable Development) Act 1990*	Recommending referral authority
▪ To use or develop land for extractive industry on Crown land or land abutting Crown land, other than a government road.	Secretary to the Department administering the *Land Act 1958*, *Crown Land (Reserves) Act 1978*, *National Parks Act 1975* and *Forests Act 1958*	Determining referral authority

Kind of application	Referral authority	Type of referral authority
▪ To use or develop land for extractive industry: – In Special Areas declared under Section 27 of the *Catchment and Land Protection Act 1994*. – On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater. – On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.	Secretary to the Department administering the *Catchment and Land Protection Act 1994*	Determining referral authority
▪ To use or develop land for extractive industry: – In areas with communities or taxa listed or critical habitat determined under the *Flora and Fauna Guarantee Act 1988*. – On land which has been identified in this scheme as containing sites of flora or fauna significance.	Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988*	Determining referral authority
▪ To use or develop land for extractive industry on land which has been identified in this scheme as flood prone.	Secretary to the Department administering Section 201 of the *Water Act 1989*	Determining referral authority
▪ To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.	Environment Protection Authority	Determining referral authority
▪ To use or develop land for extractive industry: – On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the *Road Management Act 2004* and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more. – On land which abuts a road declared as a freeway or an arterial road under the *Road Management Act 2004*. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Head, Transport for Victoria and the declared road is not a freeway.	Head, Transport for Victoria	Determining referral authority

66.02-9 Geothermal energy extraction

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To use or develop land for geothermal energy extraction.	Secretary to the Department administering the *Geothermal Energy Resources Act 2005*	Determining referral authority

66.02-10 Greenhouse gas sequestration

25/05/2017
VC133

Kind of application	Referral authority	Type of referral authority
To use or develop land for greenhouse gas sequestration.	Secretary to the Department administering the *Greenhouse Gas Geological Sequestration Act 2008*	Determining referral authority

66.02-11 Land use and transport integration

09/12/2021
VC204

Kind of application	Referral authority	Type of referral authority
An application to subdivide land, to construct a building or to construct or carry out works for any of the following: ▪ A residential development comprising 60 or more dwellings or lots. ▪ A residential building comprising 60 or more lodging rooms. ▪ A residential village comprising 60 or more dwellings. ▪ A retirement village comprising 60 or more dwellings or lots. ▪ A new retail premises of 4000 or more square metres of leasable floor area. ▪ An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area. ▪ An office development of 10,000 or more square metres of leasable floor area. ▪ A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area. ▪ An education centre. ▪ A major sports and recreation facility. ▪ Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria. This does not apply to: ▪ Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village. ▪ A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.	Head, Transport for Victoria	Determining referral authority

66.02-12 Declared irrigation districts

17/09/2019
VC161

Kind of application	Referral authority	Type of referral authority
An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the *Water Act 1989.*	Secretary to the Department administering the *Water Act 1989.*	Recommending referral authority

66.02-13 State transport projects

17/02/2022
VC200

Kind of application	Referral authority	Type of referral authority
An application to which clause 53.21 applies.	The municipal council for the municipal district within which the proposed use or development will be carried out.	Recommending referral authority.

66.02-14 Freeway service centre

20/03/2023
VC229

Kind of application	Referral authority	Type of referral authority
To use or develop land for a Freeway service centre.	Head, Transport for Victoria	Determining referral authority

66.03
05/05/2026
VC248

REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

Clause	Kind of application	Referral authority	Type of referral authority
Clause 36.03-5 (PCRZ)	An application for the use or development of an Emergency services facility.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 37.03-5 (UFZ)	An application under the zone within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the zone outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 37.07-5 (UGZ)	An application under the zone within Metropolitan Melbourne.	Victorian Planning Authority	Determining referral authority
	An application under the zone outside Metropolitan Melbourne.	Secretary to the Department administering the *Planning and Environment Act 1987*	Determining referral authority
Clause 44.02-8 (SMO)	An application under the overlay and any site capability report.	Secretary to the Department of Energy, Environment and Climate Action	Determining referral authority
Clause 44.03-6 (FO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.04-7 (LSIO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.05-6 (SBO)	An application under the overlay within the waterway management district of Melbourne Water Corporation.	Melbourne Water Corporation	Determining referral authority

Clause	Kind of application	Referral authority	Type of referral authority
	An application under the overlay outside the waterway management district of Melbourne Water Corporation.	Relevant floodplain management authority	Recommending referral authority
Clause 44.06-6 (BMO)	An application to construct a building or carry out works associated with a dwelling. This does not apply to a non-habitable outbuilding 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 *Road Management Act 2004.*	Head, Transport for Victoria	Determining referral authority
Clause 52.29-4	An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the *Road Management Act 2004*, land owned by the Head, Transport for Victoria for the purpose of a road, or land in a Public Acquisition Overlay if the Head, Transport for Victoria is the acquiring authority and the acquisition is for the purpose of a road.	Head, Transport for Victoria	Determining referral authority
	Any other application under the Clause.	Owner of, or the acquiring authority for, the adjacent land in the Transport Zone 2 or the Public Acquisition Overlay	Determining referral authority

Clause	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 *Planning and Environment Act 1987* for a wind energy facility if the application amends or removes conditions or requirements for operational wind turbine noise.	Environment Protection Authority Victoria	Recommending referral authority
Clause 53.24	An application to which Clause 53.24 applies.	Secretary to the Department of Transport and Planning	Determining referral authority

66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

28/03/2018
VC145

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.

08/03/2018
GC93

SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0

28/04/2026
VC232

Referral of permit applications under local provisions

Clause	Kind of application	Referral authority	Referral authority type
Schedules 15 and 16 to Clause 43.02	An application for buildings and works	Secretary as defined in section 3 of the *Transport Integration Act 2010* until 31 December 2026, and thereafter the Head, Transport for Victoria	Determining referral authority

66.05 NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

01/07/2025
VC286

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

Clause	Kind of application	Person or body to be notified
Clause 35.07	An application to use or develop land for accommodation within one kilometre from the nearest title boundary of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.	The owners and occupiers of land subject to: ▪ A permit for a wind energy facility; or ▪ An application for a permit for a wind energy facility; or ▪ An incorporated document approving a wind energy facility; or ▪ A proposed wind energy facility for which an action has been taken under section 8(1), 8(2), 8(3) or 8(4) of the *Environment Effects Act 1978*.
Clause 45.08-6	An application to use or subdivide land, or to construct a building or construct or carry out works.	The airport lessee company of Melbourne Airport in accordance with the Commonwealth *Airports Act 1996*
Clause 52.09-7	An application to use or subdivide land or construct a building for accommodation, education centre or hospital: ▪ Within an Extractive Industry Interest Area. ▪ On land which is within 500 metres of land on which a work plan has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*. These requirements do not apply to: ▪ An application to extend a building or works. ▪ An application that is required to be referred to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990* under section 55 of the Act.	The Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990*
Clause 52.09-7	An application to use or develop land for accommodation in a rural zone if the building or works associated with the accommodation is located within 500 metres from the nearest title boundary of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.	The owners and occupiers of land subject to a work authority that has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

Clause	Kind of application	Person or body to be notified
Clause 52.21	An application to construct, use or illuminate a private tennis court under any provision of this scheme.	The owners and occupiers of adjoining and opposite properties
Clause 53.09	An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009.	Environment Protection Authority
Clause 67.02-2	An application which except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply to an application: ▪ To which the exemption from notice and review in clause 52.31-2 applies. ▪ To construct or put up for display a sign. ▪ To remove, destroy or lop native vegetation under clause 52.17. ▪ If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.	The owners and occupiers of adjoining land The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust
Clause 67.02-2	An application to remove, destroy or lop native vegetation under clause 52.17 which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act. This does not apply if the application must be referred to the Secretary under section 55 of the Act.	Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*)

66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

28/03/2018
VC145

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.

24/09/2018
C88

SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

1.0

10/09/2021
C126hbay

Notice of permit applications under local provisions

Clause	Kind of application	Person or body to be notified
43.02 Schedule 10 – Clause 8.0	To subdivide land, construct a building or carry out works.	Licensee (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline).
43.02 Schedule 10 – Clause 8.0	To subdivide land, construct a building or carry out works.	Operator (from time to time) authorised under pipeline licence No PL118 (Somerton to Altona Licensed Pipeline).
43.02 Schedule 10 – Clause 8.0	To subdivide land, construct a building or carry out works.	Energy Safe Victoria and the Minister with responsibility for administering the Pipelines Act 2005.
43.02 Schedule 10 - Clause 8.0	To subdivide land, construct a building or carry out works.	Owner of the Spotswood Locomotive Maintenance Centre.
43.02 Schedule 10 - Clause 8.0	To subdivide land, construct a building or carry out works.	Operator of the Spotswood Locomotive Maintenance Centre.
37.02 Schedule 2	To use and develop land within 450 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline for: ▪ Residential aged care ▪ Child care centre ▪ Education centre ▪ Place of assembly	Operators and Licencees authorised under pipeline licence Nos PL108 (Brooklyn to South Melbourne Licensed Pipeline) and PL118 (Somerton to Altona Licensed Pipeline)
37.02 Schedule 2	To subdivide land within 60 metres of the South Melbourne to Brooklyn (PL108) gas transmission pipeline or the Altona to Somerton (PL118) fuel pipeline for: ▪ Residential aged care ▪ Child care centre ▪ Education centre ▪ Place of assembly	Operators and Licencees authorised under pipeline licence Nos PL108 (Brooklyn to South Melbourne Licensed Pipeline) and PL118 (Somerton to Altona Licensed Pipeline)

67 LAND OWNED OR PERMIT REQUIRED BY RESPONSIBLE AUTHORITIES

14/09/2021
VC211

67.01 EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

24/01/2020
VC160

In accordance with section 6(2)(ka) of the Act, the following classes of use and development are exempted from section 96(1) and 96(2) of the Act:

Class 1

Use of land for:

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2

Development of land for:

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3

Any other use or development.

67.02 NOTICE REQUIREMENTS AND EXEMPTION

14/09/2021
VC211

67.02-1 Application

14/09/2021
VC211

This clause applies to an application which, except for the provisions of clause 67.01, would be made to the Minister in accordance with section 96 of the Act.

67.02-2 Notice requirements

14/09/2021
VC211

In accordance with section 52(1)(c) of the Act, notice of an application must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- To which the exemption from notice and review in clause 52.31-2 applies.
- To construct or put up for display a sign.
- To remove, destroy or lop native vegetation under clause 52.17.
- If a permit is only required under the Bushfire Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Salinity Management Overlay or Special Building Overlay.

In accordance with section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under clause 52.17 must be given to the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

This does not apply if the application must be referred to the Secretary under section 55 of the Act.

67.02-3 Exemption from notice

14/09/2021
VC211

An application to construct or put up for display a sign on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of section 52(1)(a) of the Act.

70 OPERATIONAL PROVISIONS

31/07/2018
VC148

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.

71 OPERATION OF THIS PLANNING SCHEME

31/07/2018
VC148

71.01 OPERATION OF THE MUNICIPAL PLANNING STRATEGY

31/07/2018
VC148

71.01-1 Municipal Planning Strategy

24/01/2020
VC160

The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

71.01-2 Transitional

03/02/2022
VC199

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.

71.02 OPERATION OF THE PLANNING POLICY FRAMEWORK

31/07/2018
VC148

71.02-1 Purpose of the Planning Policy Framework

31/07/2018
VC148

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

71.02-2 Operation

24/01/2020
VC160

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

71.02-3 Integrated decision making

03/02/2022
VC199

Victorians have various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

The Planning Policy Framework operates together with the remainder of the scheme to deliver integrated decision making. Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting

objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.

Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

71.02-4 Transitional

31/07/2018
VC148

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.

71.03 OPERATION OF ZONES

31/07/2018
VC148

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

71.03-1 Section 1 uses

31/07/2018
VC148

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

71.03-2 Section 2 uses

31/07/2018
VC148

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

71.03-3 Section 3 uses

31/07/2018
VC148

A use in Section 3 is prohibited.

71.04 OPERATION OF OVERLAYS

31/07/2018
VC148

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.

71.05 OPERATION OF PARTICULAR PROVISIONS

31/07/2018
VC148

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.

71.06 OPERATION OF VICSMART APPLICATIONS AND PROCESS

31/07/2018
VC148

71.06-1 VicSmart applications

16/10/2025
VC288

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which clause 71.06 applies.
- Information and other requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under clause 66, the referral requirements in clause 71.06-2 are met.

71.06-2 VicSmart process

16/10/2025
VC288

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.

Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider:
  - The decision guidelines and requirements specified for the relevant class of application.
  - The following requirements that would otherwise be applicable to an application if it were not a VicSmart application:
    - A public open space requirement in clause 53.01 or clause 43.06-8 or a schedule to those clauses.
    - A minimum garden area requirement and a maximum building height requirement in a residential zone or a schedule to a residential zone.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.

Before deciding a VicSmart application to which clause 55 applies, the responsible authority must, if a standard in clause 55 is not met, consider the decision guidelines for the corresponding objective.

Before deciding a VicSmart application to which clause 54 applies, the responsible authority must, if a standard in clause 54 is not met, consider the decision guidelines for the corresponding objective.

72 ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME

31/07/2018
VC148

72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

17/09/2019
VC161

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

72.01-1 Minister is responsible authority

04/07/2025
VC258

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Energy generation facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to:
  - Transmit or distribute electricity.
  - Store electricity if the installed capacity is 1 megawatt or greater.
- Industry to manufacture hydrogen gas with a minimum production capacity of 410 kilograms of hydrogen per day, and any land use or development in conjunction with this use.
- Primary school or secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, if any of the following apply:
  - There is no existing primary school or secondary school on the land.
  - The estimated cost of development is $3 million or greater.
- Primary school or secondary school for which an application was made to the Minister for Planning prior to the approval date of Amendment VC180.
- A use or development, other than the subdivision of land, carried out by or on behalf of the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning.
- Use and development to which clause 52.20 applies.
- Development of 10 or more dwellings to which clause 53.20 applies.
- Construction or extension of an apartment development to which clause 53.20 applies.
- Construction or extension of a dwelling in or forming part of an apartment development to which clause 53.20 applies.
- Use or development to which clause 53.25 applies.

with the exception of the following:

- in relation to applications lodged, or permits issued, for the use and development of land for an energy generation facility (other than a renewable energy facility) or a utility installation (other than a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater), under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC192 , the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 1 of Part 4 of the Act, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 6 of Part 4 of the Act, the Council is the responsible authority for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, subject to the operation of section 97H of the Act.
- in relation to applications lodged, or permits issued, for the use and development of land for a renewable energy facility (other than a wind energy facility) under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to applications lodged, or permits issued, for the use and development of land for a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility, under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to an application made, or permit issued, for the use or development of land by the Head, Transport for Victoria or the Secretary to the Department of Transport and Planning, under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC200, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to an application made, or permit issued, under Division 1 of Part 4 of the Act for the use and development of land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school:
  - prior to the approval date of Amendment VC180; and
  - where clause 53.19 immediately in force before the approval date of Amendment VC180 did not apply,

  the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
- in relation to the use and development of land for a primary school, secondary school, or education centre that is ancillary to, carried out in conjunction with, and on the same land or contiguous land in the same ownership as, a primary school or secondary school, the Council is the responsible authority for matters required:
  - by clause 43.04 Development Plan Overlay to be done to the satisfaction of the responsible authority;
  - under Part 6 of the Act.

The Minister for Planning is the responsible authority for the following matters where clause 53.22 or 53.23 applies:

- matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act;

- matters under Division 2 of Part 9 of the Act where required under a permit in relation to the provision of the affordable housing contribution; and
- endorsement of, approval of or being satisfied with matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0 Responsible authority for administering and enforcing this planning scheme:

31/07/2018
VC148

The Hobsons Bay City Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

2.0 Responsible authority for administering and enforcing a provision of this planning scheme:

31/07/2018
VC148

The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for land at:

Tenix Defence site, Williamstown, described in Title Vol. 10167 Fol. 632, Vol. 10167 Fol. 697, Vol. 10210 Fol. 735, Vol. 10167 Fol. 699, Vol. 10269 Fol. 261, Vol. 10167 Fol. 698, Vol. 10267 Fol. 525, Vol. 10267 Fol. 524, Crown lease Ref. 1205924.

The Minister for Planning is the responsible authority for administering and enforcing:

- Clause 51.01 of the scheme in respect of the "West Gate Tunnel Project Incorporated Document, December 2017".
- Any other provision of the scheme as it applies to the use or development of land for the West Gate Tunnel Project.

3.0 Person or responsible authority for issuing planning certificates:

31/07/2018
VC148

Minister for Planning.

4.0 Responsible authority for VicSmart and other specified applications:

22/09/2023
VC243

The Chief Executive Officer of the Hobsons Bay 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 Hobsons Bay 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 Hobsons Bay City Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

31/07/2018
VC148

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0 Area covered by this planning scheme:

31/07/2018
VC148

This planning scheme applies to that part of the municipal district of the City of Hobsons Bay not in the Port of Melbourne Planning Scheme.

72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

31/07/2018
VC148

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).
- All clauses in the Planning Policy Framework that include the letter 'L' in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered '11.01-1L' would be an example of a local provision in the Planning Policy Framework. 'C1Z' is an example of a code on a map that may be specified in the schedule to this clause. It stands for 'Commercial 1 Zone'.

24/09/2018
C88

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

1.0

20/01/2026
VC278

Maps comprising part of this planning scheme:

- 1, 1LSIO, 1SLO
- 2, 2ESO, 2HO, 2LSIO, 2NCO, 2PAO, 2SBO, 2SLO
- 3, 3DCPO, 3DPO, 3EAO, 3ESO, 3HO, 3LSIO, 3NCO, 3PAO, 3SBO, 3SLO
- 4, 4DCPO, 4DDO, 4EAO, 4HO, 4SBO, 4DPO, 4SLO
- 5, 5DDO, 5HO, 5LSIO, 5SBO, 5SCO, 5SLO
- 6, 6LSIO
- 7, 7LSIO, 7SLO
- 8, 8EAO, 8ESO, 8HO, 8LSIO, 8PAO, 8SBO, 8SLO
- 9, 9DDO, 9EAO, 9ESO, 9HO, 9LSIO, 9NCO, 9PAO, 9SBO, 9SLO
- 10, 10DDO, 10EAO, 10ESO, 10HO, 10LSIO, 10NCO, 10PAO, 10SBO, 10SLO
- 11, 11DDO, 11EAO, 11HO, 11SBO
- 12, 12LSIO, 12PAO, 12SLO
- 13, 13HO, 13LSIO
- 14, 14DDO, 14EAO, 14HO, 14LSIO, 14NCO, 14PAO, 14SBO
- 15, 15DDO, 15HO, 15LSIO, 15NCO, 15PAO, 15SBO, 15SCO, 15SLO
- 16, 16DDO, 16ESO, 16HO, 16LSIO, 16NCO, 16SBO, 16SLO
- 17, 17DDO, 17ESO, 17HO, 17LSIO, 17SBO, 17SLO
- 18, 18DDO, 18HO
- 19, 19DCPO, 19DDO, 19EAO, 19HO, 19SCO
- 20, 20LSIO, 20SLO
- 21, 21DDO, 21HO, 21LSIO, 21SLO
- 22, 22DDO, 22HO, 22LSIO, 22SLO

72.04 INCORPORATED DOCUMENTS

18/12/2025
VC277

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the *Planning and Environment Act 1987*.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

Name of document	Introduced by:
A 'Good Neighbour' Code of Practice for a Circus or Carnival (Department of Infrastructure, October 1997)	NPS1
Apiary Code of Practice (Department of Planning and Community Development, May 2011)	VC81
Australian Standard AS/NZS 2890.1:2004, Parking Facilities - Off-street Car Parking (Standards Australia, 2004)	VC26
Australian Standard AS2890.3:2015, Parking Facilities Part 3: Bicycle Parking (Standards Australia, 2015)	VC237
Building in Bushfire-Prone Areas (Publication SAA HB36-1993, CSIRO & Standards Australia, May 1993)	NPS1
Car Parking Requirement Maps (Department of Transport and Planning, December 2025)	VC277
Code of Practice for Bushfire Management on Public Land (Department of Sustainability and Environment, June 2012)	VC101
Code of Practice for Timber Production 2014 (as amended 2022) (Department of Environment, Land, Water and Planning, 2022)	VC229
Design Vehicles and Turning Path Templates (Publication AP-34/95, Austroads, 1995)	VC12
Guide to Residential Streets and Paths (Publication C&CCA T51-2004, Cement and Concrete Association of Australia, 2004)	VC26
Guide to Road Design, Part 6A: Pedestrian and Cycle Paths (Austroads, 2021)	VC77
Guidelines for the Removal, Destruction or Lopping of Native Vegetation (Department of Energy, Environment and Climate Action, 2025)	VC291
Industrial and Commercial Land Classifications (Department of Transport and Planning, July 2025)	VC283
North Growth Corridor Plan (Victorian Planning Authority, August 2012)	VC283
Local Government Planning Guide for Dry Land Salinity(Department Conservation and Natural Resources, October 1995)	NPS1
Pavement Design - A Guide to the Structural Design of Road Pavements (Austroads, 1992)	VC12
Planning Requirements for Racing Dog Keeping and Training (Department of Environment, Land, Water and Planning, August 2017)	VC139
Principal Public Transport Network 2017 (Victorian Government, 2017)	VC132
Principal Public Transport Network Area Maps (Victorian Government, August 2018)	VC151

Name of document	Introduced by:
Private Tennis Court Development Code of Practice (Revision 1, Department of Infrastructure, March 1999)	VC5
South East Growth Corridor Plan (Victorian Planning Authority, August 2012)	VC283
Sunbury Growth Corridor Plan (Victorian Planning Authority, June 2012)	VC283
Victorian Code for Broiler Farms 2009 - Plus 2018 amendments (Department of Primary Industries, 1999)	VC60
Victorian Code for Cattle Feedlots (Department of Agriculture, Energy and Minerals, August 1995)	NPS1
Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150
Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)	VC150
West Growth Corridor Plan (Victorian Planning Authority, August 2012)	VC283

15/01/2024
VC249

SCHEDULE TO CLAUSE 72.04 INCORPORATED DOCUMENTS

1.0 Incorporated documents

11/02/2026
C133hbay

Name of document	Introduced by:
AGM Factory Complex (Former) Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay
Alloa Park Estate Heritage Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay
Australian Glass Manufacturers' Housing Heritage Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay
Altona North Comprehensive Development Plan, August 2018	C88
Altona North Development Contributions Plan (Victorian Planning Authority, December 2023)	VC249
Baco Food Products Factory Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay
Construction and extension of one dwelling on a lot between 300m^2 and 500m^2, 1 May 2014	GC9
Cox's Garden Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Government Survey Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay 2006	C34
Guidelines for Infill Development in Heritage Areas in Hobsons Bay 2006	C34
Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines, September 2021.	C131hbay
Housing Commission of Victoria Estates Heritage Precincts Heritage Design Guidelines, September 2021.	C131hbay
Kororoit Creek Road, Williamstown North Level Crossing Removal Project Incorporated Document, June 2017	C111
Laverton Rail Upgrade Project, September 2008	C69
Medical Centre and Pharmacy at 196 – 200 Hall Street, Spotswood, July 2010	C67
Nelson Place Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines, September 2021.	C131hbay
Newport Civic and Commercial Precinct Heritage Design Guidelines, September 2021.	C131hbay
Newport Estate Residential Heritage Precinct (HO23) Statement of Significance, June 2022	C133hbay
Newport Civic and Commercial Heritage Precinct (HO22) Statement of Significance, June 2022	C133hbay
Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017	GC74
Shops 87-89 Hudson Road, Spotswood Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay

Name of document	Introduced by:
Spotswood Residential Heritage Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay
Spotswood State School No. 3659 Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay
Point Gellibrand Coastal Heritage Park Master Plan - Revised July 2003	C24
Port Phillip Woollen Mill Development Contributions Plan 2015-25(Hobsons Bay City Council, December 2023)	VC249
Private Survey Heritage Precinct Heritage Design Guidelines, September 2021.	C131hbay
The Mason Street Ecclesiastical and Residential Heritage Precinct (HO322) Statement of Significance, June 2022	C133hbay
West Gate Tunnel Project Incorporated Document, December 2017	GC93
War Service Homes Commission Precinct Statement of Significance (RBA Architects and Conservation Consultants, September 2023)	C137hbay

72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

31/07/2018
VC148

This planning scheme began on the date specified in the schedule to this clause.

31/07/2018
VC148

SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0 Date this planning scheme began:

31/07/2018
VC148

17 February 2000

72.06 EFFECT OF THIS PLANNING SCHEME

31/07/2018
VC148

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.

72.07 DETERMINATION OF BOUNDARIES

31/07/2018
VC148

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.

72.08 BACKGROUND DOCUMENTS

02/09/2025
VC283

The documents listed in the table and the schedule to this clause are background documents.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

Table to Clause 72.08

Name of background document	Amendment number - clause reference
Central Highlands Regional Growth Plan (Victorian Government, 2014)	VC106 Clauses 10 to 19
G21 Regional Growth Plan (Geelong Region Alliance, 2013)	VC106 Clauses 10 to 19
Gippsland Regional Growth Plan (Victorian Government, 2014)	VC106 Clauses 10 to 19
Great South Coast Regional Growth Plan (Victorian Government, 2014)	VC106 Clauses 10 to 19
Hume Regional Growth Plan (Victorian Government, 2014)	VC106 Clauses 10 to 19
Loddon Mallee North Regional Growth Plan (Victorian Government, 2014)	VC106 Clauses 10 to 19
Loddon Mallee South Regional Growth Plan (Victorian Government, 2014)	VC106 Clauses 10 to 19
Plan for Victoria (Department of Transport and Planning, February 2025)	VC283 Clauses 10 to 19
Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014)	VC106 Clauses 10 to 19

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SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0
11/02/2026
C133hbay

Background documents

Name of background document	Amendment number - clause reference
Activity Centre Strategy 2019-36 (Hobsons Bay City Council, July 2019)	C131hbay 11.03-1L
A Fair Hobsons Bay for All 2019-2023 (Hobsons Bay City Council, September 2019)	C131hbay 15.01-2L 17.03-2L 17.04-1L
Biodiversity Strategy 2017–22 (Hobsons Bay City Council, February 2017)	C131hbay 12.01-1L
Burns Road Industrial Estate Structure Plan (Ratio Consultants, August 1997)	NFPS 15.01-2L
Climate Change Adaptation Plan 2013-18 (Hobsons Bay City Council, 2013)	C131hbay 13.03-1L
Community Facility Planning Principles (Hobsons Bay City Council, 2008)	C131hbay 19.02-4L
Community Greenhouse Strategy 2013-30 (Hobsons Bay City Council, 2013)	C131hbay 13.03-1L
Electronic Gaming Machines (EGMs) in Hobsons Bay Background Paper (Hobsons Bay City Council, 2014)	C112 52.28
Experience Hobsons Bay Tourism Strategy 2019-2024 (Hobsons Bay City Council, 2019)	C131hbay 02.03
Hobsons Bay 2030 Community Vision (Hobsons Bay City Council, February 2017)	C131hbay 11.02-1L
Hobsons Bay Advertising Signs Guidelines (Hobsons Bay City Council, June 1999)	C131hbay 15.01-1L
Hobsons Bay Affordable Housing Policy Statement (Hobsons Bay City Council, April 2016)	C131hbay 16.01-1L
Hobsons Bay Council Plan 2017-2021 (City of Hobsons Bay, 2017)	C131hbay 02.02
Hobsons Bay Economic Development Strategy 2015–2020 (Hobsons Bay City Council, 2015)	C131hbay 15.01-2L 17.03-2L

Name of background document	Amendment number - clause reference
	17.04-1L
Hobsons Bay Heritage Study (Hobsons Bay City Council et al., 2007 Amended 2024)	C107, C125, C133hbay 15.03-1L
Hobsons Bay Housing Strategy (Hobsons Bay City Council, July 2019)	C131hbay 13.07-1L 16.01-1L 17.02-2L
Hobsons Bay Industrial Development Design Guidelines (Hobsons Bay City Council, June 2008)	C33 15.01-2L 17.03-1L
Hobsons Bay Industrial Land Management Strategy (Hobsons Bay City Council, June 2008)	C33 15.01-2L 17.03-1L
Hobsons Bay Integrated Transport Plan 2017-2030 (Hobsons Bay City Council, November 2017)	C131hbay 15.01-3L 18.01-2L 18.02-2L
Hobsons Bay Landscape Design Guidelines (Hobsons Bay City Council, April 1999)	C131hbay 19.02-6L
Hobsons Bay Neighbourhood Character Study 2019 (Hobsons Bay City Council, July 2019)	C131hbay 15.01-1L 15.01-5L
Hobsons Bay Problem Gambling – Electronic Gaming Machines (EGM) Policy Statement (Hobsons Bay City Council, July 2015)	C112 52.28
Hobsons Bay Preparing Social Impact Assessment – Applicant Guidelines (Hobsons Bay City Council, March 2011)	C112 52.28
Hobsons Bay Strategic Bicycle Plan (Traffix Group, March 2003)	C131hbay 15.01-3L 18.02-2L
Inner Newport Heritage Gap Study (Hobsons Bay City Council and Lovell Chen 2022)	C133hbay 11.03-1L
Kororoit Creek Masterplan (Thompson Berrill Landscape Design, November 2006)	C87 19.02-6L

Name of background document	Amendment number - clause reference
Kororoit Creek Regional Strategy 2005-2030 (Land Design Partnership Pty Ltd, September 2006)	C87 19.02-6L
Laverton Together Urban Design Framework (Hansen Partnership, April 2006)	C131hbay 11.03-1L
Lettering and Signs on Buildings c1850-1900, National Trust of Australia (Australian Council of National Trusts, March 1984)	C131hbay 15.01-1L
Living Hobsons Bay: an Integrated Water Management Plan 2014-2019 (Hobsons Bay City Council, November 2014)	C131hbay 12.02-1L 19.03-3L
Newport Structure Plan (Hobsons Bay City Council and Mesh 2021)	C133hbay 11.03-1L
Open Space Strategy (Hobsons Bay City Council, June 2018)	C131hbay 19.02-6L
Point Gellibrand Park Coastal Heritage Park Master Plan (Parks Victoria, Revised July 2003)	C131hbay 19.02-6L
Public Art Strategy 2016-2020 (Hobsons Bay City Council, 2016)	C131hbay 19-02-4L
Social Impact Assessment Guidelines: Electronic Gaming Machines (Hobsons Bay City Council, 2022)	C134hbay 52.28
Social Impact Assessment Guidelines: Residential (Hobsons Bay City Council, 2022)	C134hbay 02.03-6
Spotswood Activity Centre Structure Plan Heritage Review (RBA Architects and Conservation Consultants, September 2023)	C137hbay 43.01
Universal Design Policy Statement (Hobsons Bay City Council & Allen Kong Architect, September 2017)	C131hbay 16.01-1L
Urban Forest Strategy 2020 (Hobsons Bay City Council, 2020)	C131hbay 15.01-1L 15.01-2L 15.01-5L 15.02-1L 15.03-1L
Williamstown Foreshore Strategic Plan (Parks Victoria, 2010)	C63 19.02-6L

73 MEANING OF TERMS

11/04/2019
VC156

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or
- In the *Planning and Environment Act 1987* or the *Interpretation of Legislation Act 1984*, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.

73.01 GENERAL TERMS

24/09/2026
VC315

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

General term	Definition
Act	The *Planning and Environment Act 1987*.
Agricultural production	Any form of primary production of renewable commodities. It does not include extractive industry, Mineral extraction, or timber production from native forest.
Anemometer	A wind measuring device.
Apartment	A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.
Approval date	The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.
Basement	A storey below ground level, or that projects no more than 1.2 metres above ground level.
Building height	The vertical distance from natural ground level to the roof or parapet at any point.
Building Regulations	The *Building Regulations 1994*.
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 *Building Act 1993*.
Bushfire prone area map	The map prepared under section 192A of the *Building Act 1993* 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.
Deep soil	Soil at ground level that supports plant growth and is not encroached by a building above or below ground level. Grass, lawn, turf, shrubs, trees and the like may be growing or planted in the soil.
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.

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 *Gambling Regulation Act 2003*.
Garden area	Any area on a lot with a minimum dimension of 1 metre that does not include: a) a dwelling, 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.

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.

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 cause contamination of the land.
Priority precincts	Arden, Docklands, East Werribee, Fishermans Bend, Footscray, La Trobe, Parkville, Richmond to Flinders, and Sunshine, and the SRL East Precincts at Box Hill, Burwood, Clayton, Cheltenham, Glen Waverley and Monash.
Private open space	An outdoor area of a dwelling, small second dwelling or residential building or land for the exclusive use of the occupants.
Property vegetation plan	A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the *Conservation, Forests and Lands Act 1987*.
Public land manager	The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria, the Great Ocean Road Coast and Parks Authority or a municipal council, it means the Minister administering that Act and does not include the committee of management.
Radio mast	A mast, for radio transmission or reception in a dwelling or small second dwelling, that is: 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.

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 *Public Administration Act 2004*; or (d) public authority; or (e) any person -

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.

73.02 SIGN TERMS

31/07/2018
VC148

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

Sign term	Definition
Above-verandah sign	A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.
Display area	The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.
Animated sign	A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.
Bed and breakfast sign	A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.
Bunting sign	An advertisement that consists of bunting, streamers, flags, windvanes, or the like.
Business identification sign	A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.
Direction sign	A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.
Electronic sign	A sign that can be updated electronically. It includes screens broadcasting still or moving images.
Floodlit sign	A sign illuminated by external lighting provided for that purpose.
High-wall sign	A sign on the wall of a building so that part of it is more than 10 metres above the ground.
Home based business sign	A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.
Internally illuminated sign	A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.
Major promotion sign	A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Panel sign	A sign with an advertisement area exceeding 10 square metres.
Pole sign	A sign: a) on a pole or pylon that is not part of a building or another structure; b) that is no more than 7 metres above the ground;

Sign term	Definition
	c) with an advertisement area not exceeding 6 square metres; and d) that has a clearance under it of at least 2.7 metres.
Promotion sign	A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.
Reflective sign	A sign finished with material specifically made to reflect external light.
Sign	Includes a structure specifically built to support or illuminate a sign.
Sky sign	A sign: a) on or above the roof of a building, but not a verandah; b) fixed to the wall of a building and which projects above the wall; or c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.

73.03 LAND USE TERMS

12/05/2026
VC309

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

Land use term	Definition	Includes	Included in
Abattoir	Land used to slaughter animals, including birds. It may include the processing of animal products.		**Rural industry**
Accommodation	Land used to accommodate persons.	**Camping and caravan park**	

Land use term	Definition	Includes	Included in
		Corrective institution **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 *Classification (Publications, Films and Computer Games) (Enforcement) Act 1995*; and b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.		**Shop**
Agriculture	Land used to: a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables; b) keep, breed, board, or train animals, including livestock, and birds; or c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.	**Animal husbandry** **Aquaculture** **Crop raising**	
Airport			**Transport terminal**
Amusement park			**Outdoor recreation facility**
Amusement parlour	A building that contains: a) three or more coin, card, or token operated amusement machines;		**Place of assembly**

Land use term	Definition	Includes	Included in
	b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or c) two or more coin, card, or token operated billiard, snooker, or pool tables. It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Bar or Hotel.		
Animal husbandry	Land used to keep, breed, board, or train animals, including birds.	**Animal production** **Animal training** **Apiculture** **Domestic animal husbandry** **Horse husbandry** **Racing dog husbandry**	**Agriculture**
Animal production	Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.	**Grazing animal production** **Intensive animal production** **Pig farm** **Poultry farm** **Poultry hatchery**	**Animal husbandry**
Animal training	Land used to train animals, other than domestic animals, horses, or racing dogs.		**Animal husbandry**
Apiculture	Land used to keep honeybee hives and to extract honey or other bee hive products.		**Animal husbandry**
Aquaculture	Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.		**Agriculture**
Art and craft centre	Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.		

Land use term	Definition	Includes	Included in
Art gallery	Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.		**Exhibition centre**
Automated collection point	A building with a gross floor area of no more than 100 square metres, used as an automated collection point as defined in the *Circular Economy (Waste Reduction and Recycling) Act 2021*.		**Transfer station**
Bank			**Office**
Bar	Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		**Food and drink premises**
Beauty salon			**Shop**
Bed and breakfast	A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.		**Dwelling**
Betting agency	Land used for gambling by wagering, and where there is the ability to receive a monetary reward.		**Gambling premises**
Boat and caravan storage	Land used to store boats, caravans, or vehicle-towed boat trailers.		**Store**
Boat launching facility	Land used to launch boats into the water and to retrieve boats from the water.	**Boat ramp slipway**	**Recreational boat facility**
Boat ramp			**Boat launching facility**
Bottle shop	Land used to sell packaged liquor for consumption off the premises.		**Shop**
Broiler farm	Land used to keep broiler chickens for the production of meat.		**Poultry farm**
Bus terminal			**Transport terminal**
Camping and caravan park	Land used to allow accommodation in caravans, cabins, tents, or the like.		**Accommodation**

Land use term	Definition	Includes	Included in
Caretaker's house	A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.		**Dwelling**
Carnival	Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.		**Place of assembly**
Car park	Land used to park motor vehicles. It may include charging of electric vehicles.		
Car sales			**Motor vehicle, boat, or caravan sales**
Car wash			**Service industry**
Cattle feedlot	Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.		**Intensive animal production**
Cemetery	Land used to dispose of human remains by burial. It may include funeral chapels or the like.		
Child care centre	Land used to care for five or more children who are not permanently resident on the land.	**Kindergarten**	**Education centre**
Cinema	Land used to provide screen based entertainment or information to the public.		**Place of assembly**
Cinema based entertainment facility	Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.		**Place of assembly**
Circus	Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.		**Place of assembly**
Commercial display area	Land used only to display goods.		**Warehouse**
Community care accommodation	Land used to provide accommodation and care services. It includes permanent, temporary		**Residential building**

Land use term	Definition	Includes	Included in
	and emergency accommodation. It may include supervisory staff and support services for residents and visitors.		
Conference centre			**Function centre**
Container deposit scheme centre	Land used to collect, consolidate, temporarily store, sort or recover materials under Victoria's Container Deposit Scheme by a network or collection point operator in accordance with the *Circular Economy (Waste Reduction and Recycling) Act 2021*. The centre may incorporate a reverse vending machine, automated collection point, drop off point and over the counter refunds.		**Transfer station**
Convenience restaurant	Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.		**Food and drink premises**
Convenience shop	A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.		**Shop**
Corrective institution	Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.		**Accommodation**
Crematorium	Land used to cremate human remains. It may include funeral chapels or the like.		
Crop raising	Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.	**Horticulture** **Rice growing** **Timber production**	**Agriculture**
Dance studio			**Indoor recreation facility**
Data centre			**Utility installation**
Department store			**Shop**

Land use term	Definition	Includes	Included in
Display home centre	One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.		
Dog breeding			**Domestic animal husbandry**
Domestic animal boarding	Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.		**Domestic animal husbandry**
Domestic animal husbandry	Land used to keep, breed, board or train domestic animals.	**Dog breeding** **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**	

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**

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**

Land use term	Definition	Includes	Included in
Gaming premises	Land used for gambling by gaming, and where there is the ability to receive a monetary reward.		**Gambling premises**
Garden supplies	Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.		**Landscape gardening supplies**
Geothermal energy exploration	Land used for geothermal energy exploration as defined in the Geothermal *Energy Resources Act 2005.*		**Earth and energy resources industry**
Geothermal energy extraction	Land used for geothermal energy extraction as defined in the Geothermal *Energy Resources Act 2005.*		**Earth and energy resources industry**
Golf course			**Outdoor recreation facility**
Golf driving range			**Outdoor recreation facility**
Grazing animal production	Land used for animal production where the animals' food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes: ▪ emergency, seasonal and supplementary feeding; ▪ the incidental penning, feeding and housing of animals for weaning or other husbandry purposes. In this definition: *Emergency feeding* means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land; *Seasonal feeding* means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;		**Animal production**

Land use term	Definition	Includes	Included in
	Supplementary feeding means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.		
Greenhouse gas sequestration	Land used for greenhouse gas substance injection and monitoring as defined in the *Greenhouse Gas Geological Sequestration Act 2008.*		**Earth and energy resources industry**
Greenhouse gas sequestration exploration	Land used for greenhouse gas sequestration formation exploration as defined in the *Greenhouse Gas Geological Sequestration Act 2008.*		**Earth and energy resources industry**
Group accommodation	Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.		**Accommodation**
Hairdresser			**Shop**
Hall			**Place of assembly**
Helicopter landing site	Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.		
Heliport			**Transport terminal**
Home based business	An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere.		
Horse husbandry	Land used to keep, breed, board or train horses.	**Horse riding school** **Horse stables**	**Animal husbandry**
Horse riding school			**Horse husbandry**
Horse stables			**Horse husbandry**
Horticulture	Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.	**Market garden**	**Crop raising**

Land use term	Definition	Includes	Included in
Hospital	Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.		
Host farm	An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.		**Accommodation**
Hotel	Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.		**Food and drink premises**
Indoor recreation facility	A building used for indoor leisure, recreation, or sport.	**Dancing studio**	**Minor sports and recreation facility**
Industry	Land used for any of the following operations: 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**	

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**

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 *Mineral Resources (Sustainable Development) Act 1990.*		**Earth and energy resources industry**
Mining	Land used for mining as defined in the *Mineral Resources (Sustainable Development) Act 1990.*		**Earth and energy resources industry**
Minor sports and recreation facility	Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.	**Indoor recreation facility**	**Leisure and recreation**

Land use term	Definition	Includes	Included in
		Informal outdoor recreation **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**

Land use term	Definition	Includes	Included in
Motor racing track	Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.		**Leisure and recreation**
Motor repairs	Land used to repair or service motor vehicles, and includes the fitting of accessories.	**Panel beating**	**Service industry**
Motor vehicle, boat, or caravan sales	Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.	**Car sales**	**Retail premises**
Museum	Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.		**Exhibition centre**
Natural systems	Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.		
Nightclub	A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.		**Place of assembly**
Office	Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.	**Bank** **Electoral office** **Electorate office** **Medical centre** **Real estate agency** **Travel agency**	
Open sports ground	Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.		**Minor sports and recreation facility**

Land use term	Definition	Includes	Included in
Outdoor recreation facility	Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.	**Amusement park** **Golf course** **Golf driving range** **Paintball games facility** **Zoo**	**Minor sports and recreation facility**
Paintball games facility			**Outdoor recreation facility**
Panel beating	Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.		**Motor repairs**
Party supplies			**Restricted retail premises**
Petroleum exploration	Land used for petroleum exploration as defined in the *Petroleum Act 1998.*		**Earth and energy resources industry**
Petroleum production	Land used for petroleum production as defined in the *Petroleum Act 1998.*		**Earth and energy resources industry**
Pier			**Marina**
Pig farm	Land used to keep or breed pigs.		**Animal production**
Place of assembly	Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.	**Amusement parlour** **Carnival** **Cinema** **Cinema-based entertainment facility** **Circus** **Drive-in theatre** **Exhibition centre** **Function centre** **Hall** **Library** **Nightclub** **Place of worship** **Restricted place of assembly**	

Land use term	Definition	Includes	Included in
Place of worship	Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.		**Place of assembly**
Plant nursery	Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.		**Landscape gardening supplies**
Pontoon			**Marina**
Postal agency			**Retail premises**
Poultry farm	Land used to keep or breed poultry.	**Broiler farm**	**Animal production**
Poultry hatchery	Land used to incubate and hatch poultry eggs.		**Animal production**
Primary produce sales	Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.		**Retail premises**
Primary school			**Education centre**
Race course			**Major sports and recreation facility**
Racing dog husbandry	Land used to keep, breed, board or train racing dogs.	**Racing dog training**	**Animal husbandry**
Racing dog training			**Racing dog husbandry**
Railway station	Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.		**Transport terminal**
Real estate agency			**Office**
Reception centre			**Function centre**
Recreational boat facility	Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.	**Boat launching facility** **Marina**	
Refuse disposal	Land used to dispose of refuse, by landfill, incineration, or other means.		**Industry**

Land use term	Definition	Includes	Included in
Renewable energy facility	Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.	**Wind energy facility** **Solar energy facility**	**Energy generation facility**
Research and development centre	Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.		**Industry**
Research centre	Land used only for scientific research.		
Reservoir	A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.		**Utility installation**
Residential aged care facility	Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.		**Accommodation**
Residential building	Land used to accommodate persons, but does not include camping and caravan park, corrective institution, 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**

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**

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**	

Land use term	Definition	Includes	Included in
Retirement village	Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.		**Accommodation**
Rice growing			**Crop raising**
Road freight terminal			**Transport terminal**
Rooming house	Land used for a rooming house as defined in the *Residential Tenancies Act 1997*.		**Residential building**
Rural industry	Land used to: a) handle, treat, process, or pack agricultural produce; or b) service or repair plant, or equipment, used in agriculture; or c) manufacture mud bricks, including bricks that contain hemp, straw or other fibrous substance.	**Abattoir** **Sawmill**	**Industry**
Rural store	Land used to store unprocessed agricultural produce, or products used in agriculture.		**Store**
Rural worker accommodation	Land used to accommodate a person engaged in agricultural production, away from their normal place of residence.		**Residential building**
Saleyard	Land used to hold, sell, and buy farm animals.		
Sawmill	Land used to handle, cut, and process timber from logs.		**Rural industry**
Secondary school			**Education centre**
Service industry	Land used to launder, repair, service or wash articles, machinery, or vehicles.	**Car wash** **Dry cleaner** **Motor repairs**	**Industry**
Service station	Land used to sell motor vehicle fuel from bowsers or charge electric vehicles. It may include the: a) selling of motor vehicle lubricants, accessories or parts; b) selling of food, drinks and other convenience goods;		

Land use term	Definition	Includes	Included in
	c) hiring of trailers; 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;	**Adult sex product shop** **Beauty salon** **Bottle shop** **Convenience shop** **Dry cleaning agent** **Department store** **Hairdresser** **Laundromat** **Restricted retail premises**	**Retail premises**

Land use term	Definition	Includes	Included in
	▪ manufacturing sales; ▪ market; ▪ motor vehicle, boat, or caravan sales; ▪ postal agency; ▪ primary produce sales; or ▪ trade supplies.	**Sex services premises** **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**	**Warehouse**

Land use term	Definition	Includes	Included in
		Freezing and cool storage **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;	**Timber yard**	**Retail premises**

Land use term	Definition	Includes	Included in
	g) primary production; or 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		

Land use term	Definition	Includes	Included in
	c) prevent animal diseases or disorders. It may include keeping the animals on the premises for treatment.		
Warehouse	Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.	**Commercial display area** **Fuel depot** **Mail centre** **Milk depot** **Store**	
Waste-to-energy facility	Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.		**Energy generation facility**
Water retarding basin	Land used to store storm or flood water on a temporary basis.		**Minor utility installation**
Wharf	Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.		**Transport terminal**
Wind energy facility	Land used to generate electricity by wind force. It includes land used for: a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer. 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.		

Land use term	Definition	Includes	Included in
Zoo			**Outdoor recreation facility**

73.04 NESTING DIAGRAMS

08/08/2019
VC159

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

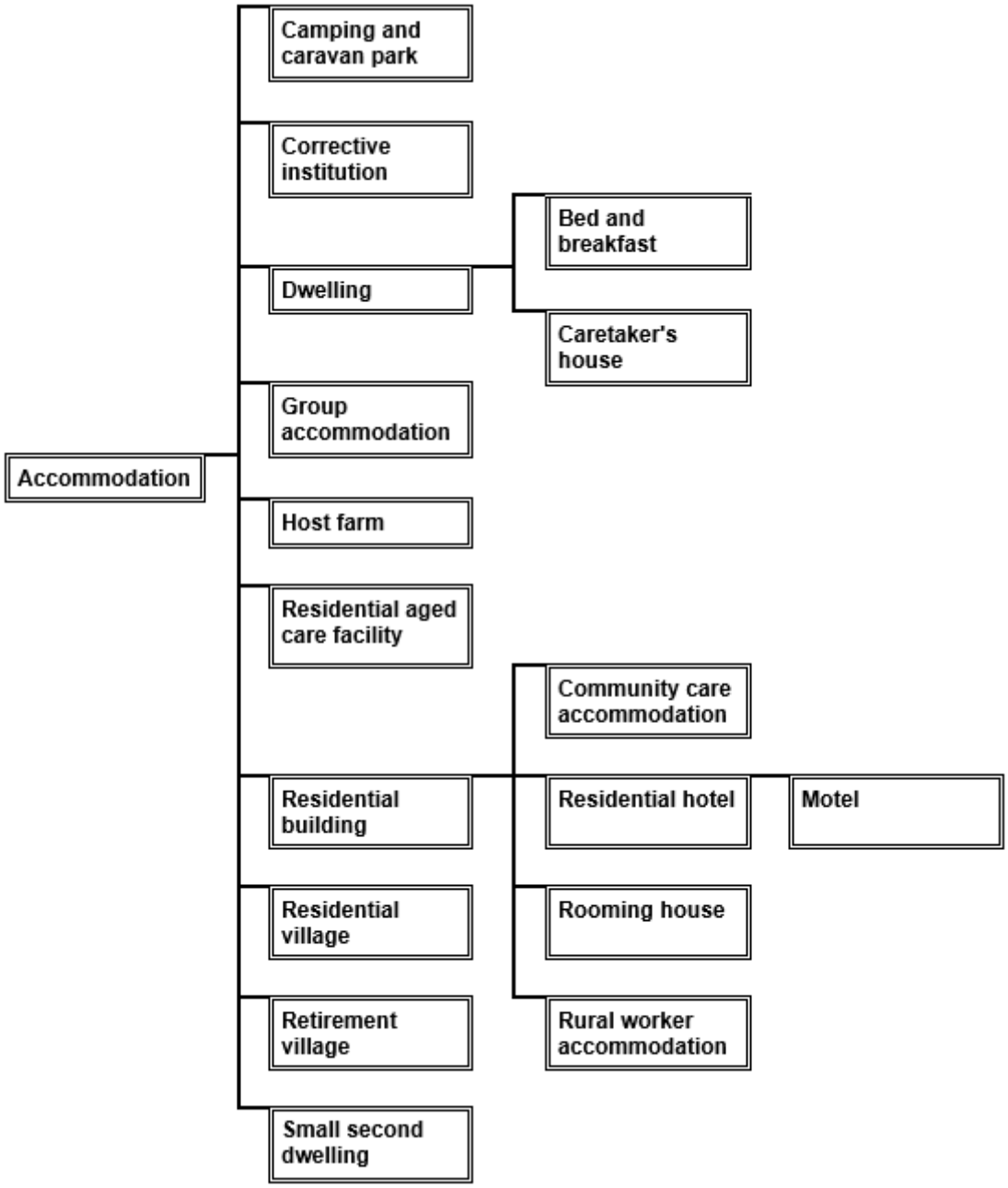
The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

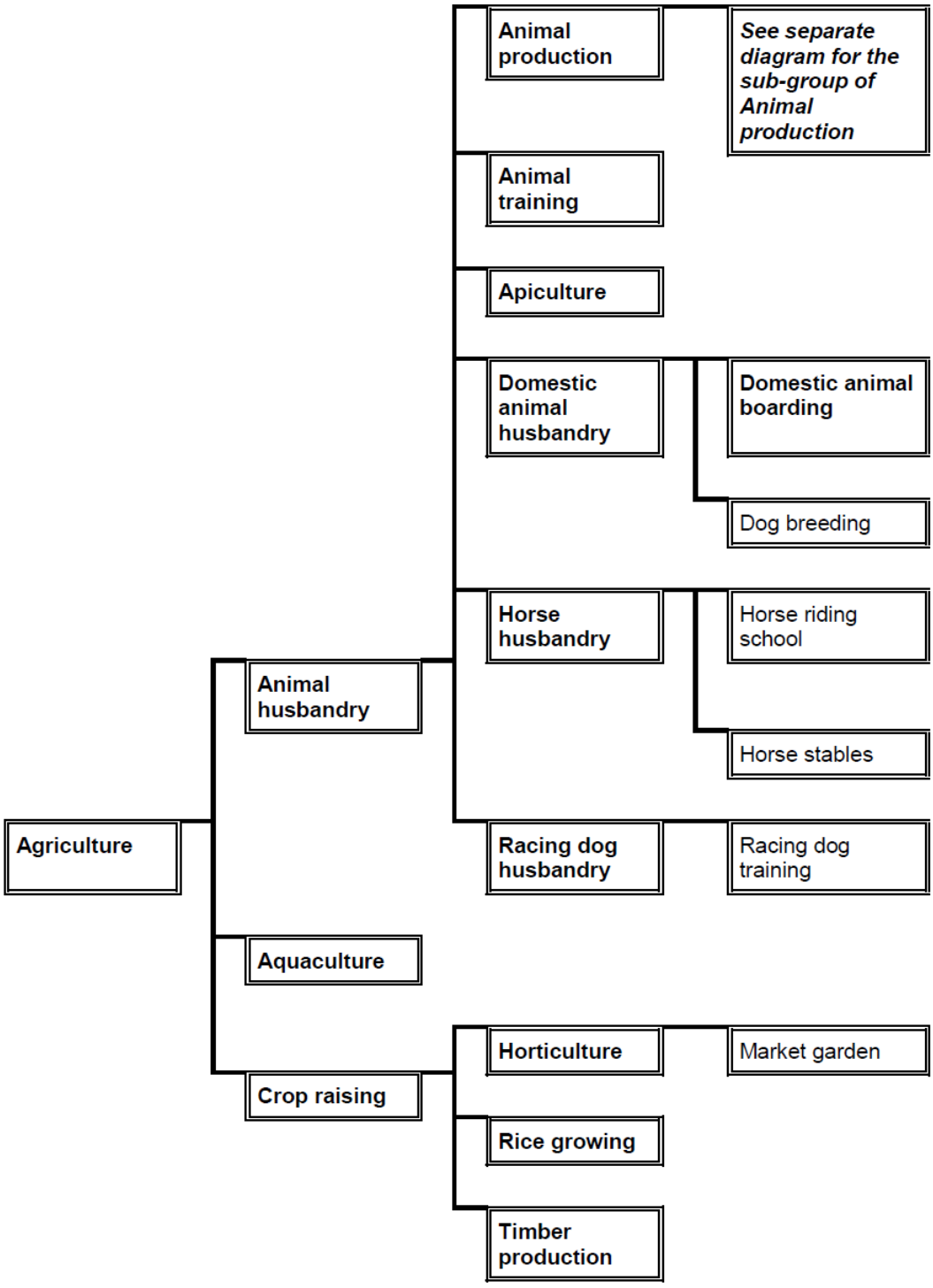
73.04-1 Accommodation group

14/12/2023
VC253



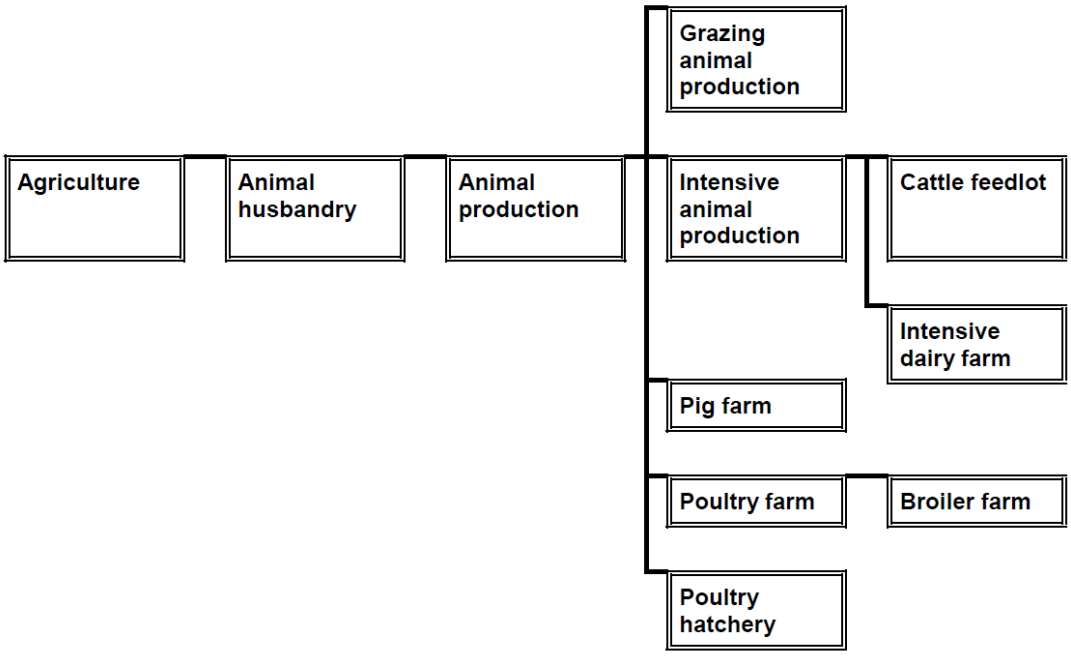
73.04-2 Agriculture group

08/08/2019
VC159



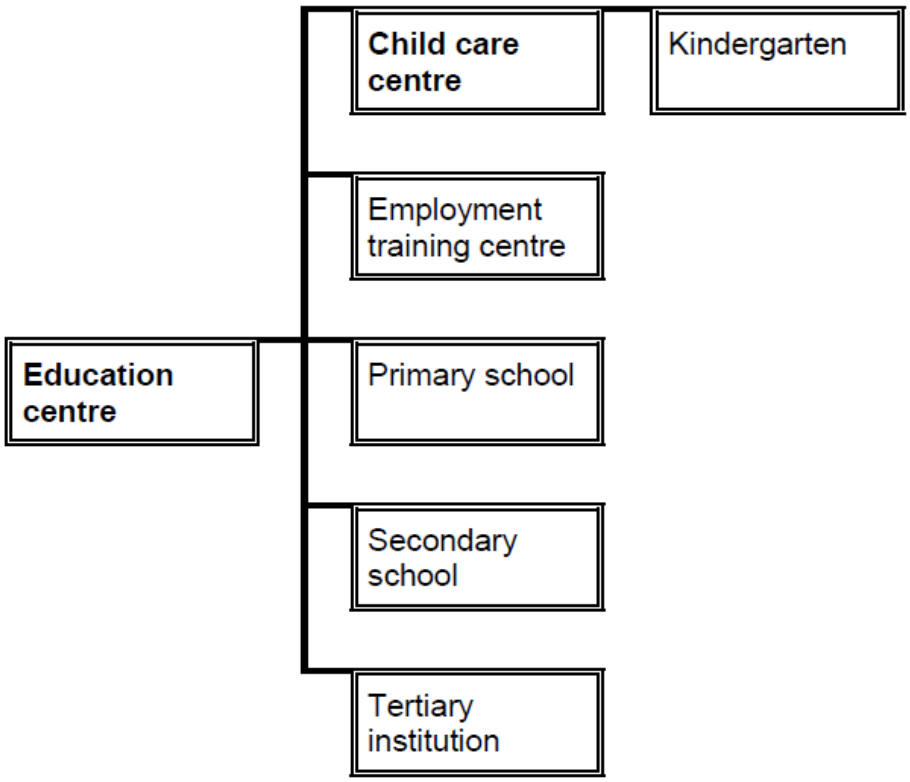
73.04-3 Agriculture group (sub-group of Animal production)

24/01/2020
VC160



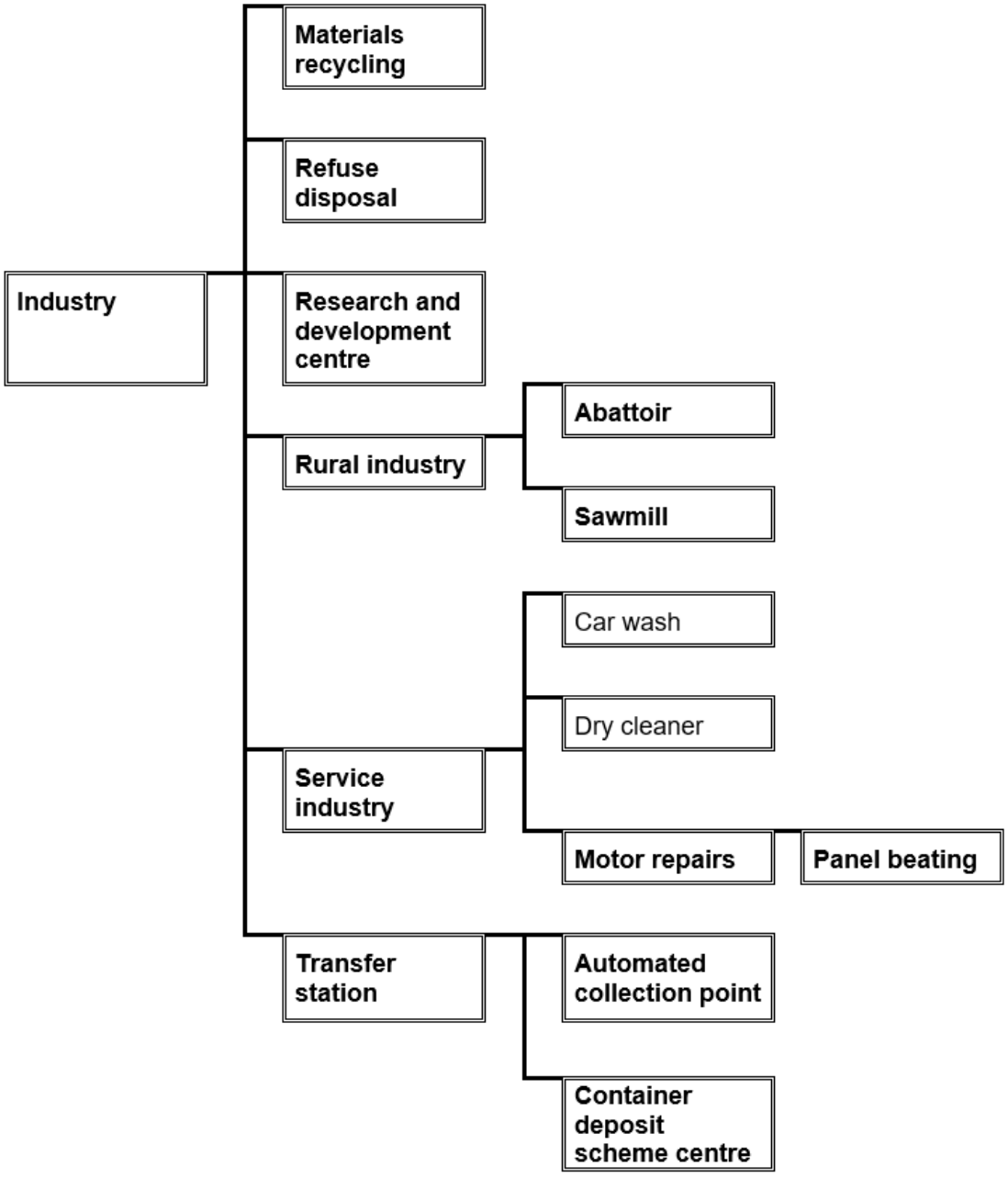
73.04-4 Education centre group

24/01/2020
VC160



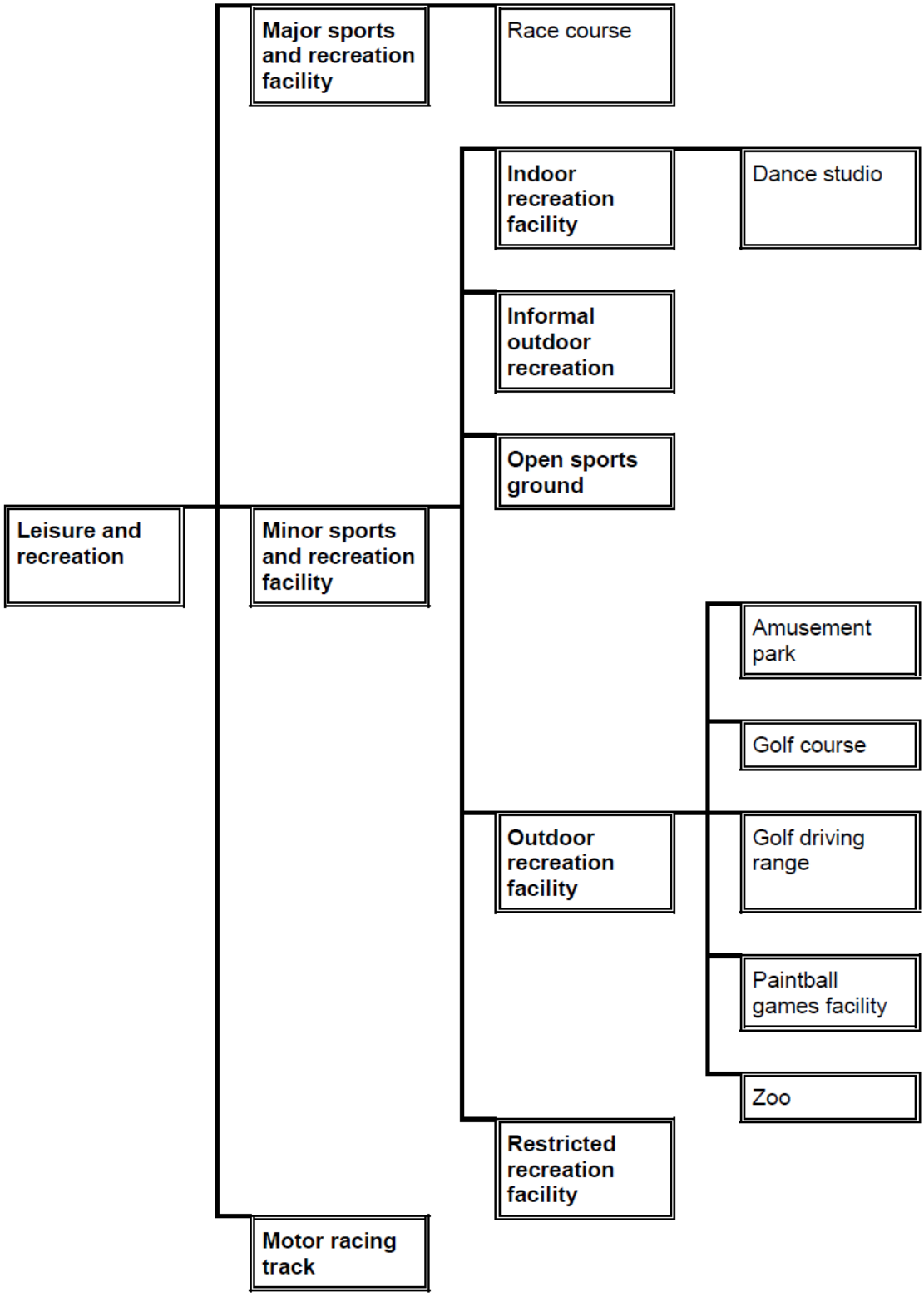
73.04-5 Industry group

26/09/2023
VC246



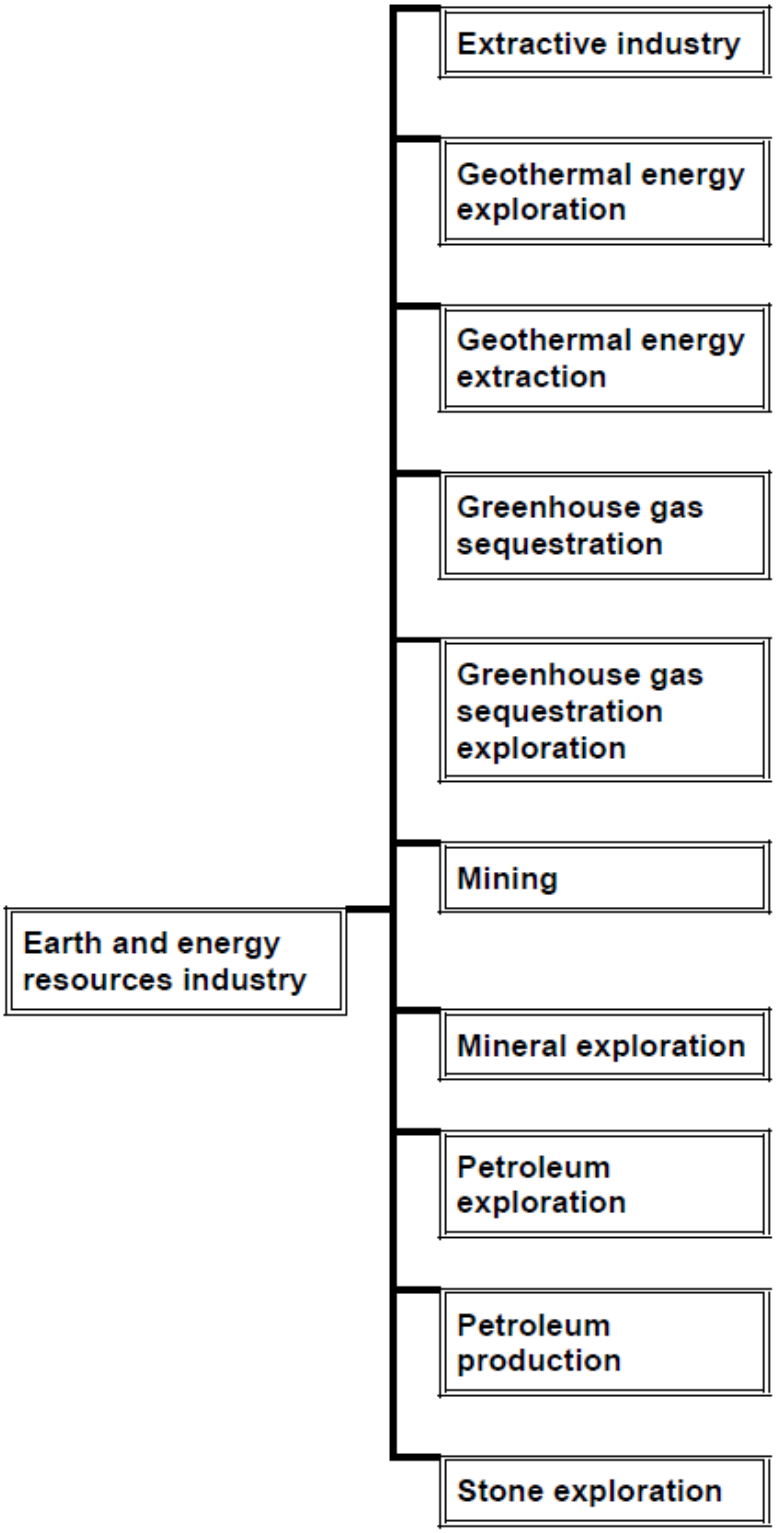
73.04-6 Leisure and recreation group

16/08/2019
VC163



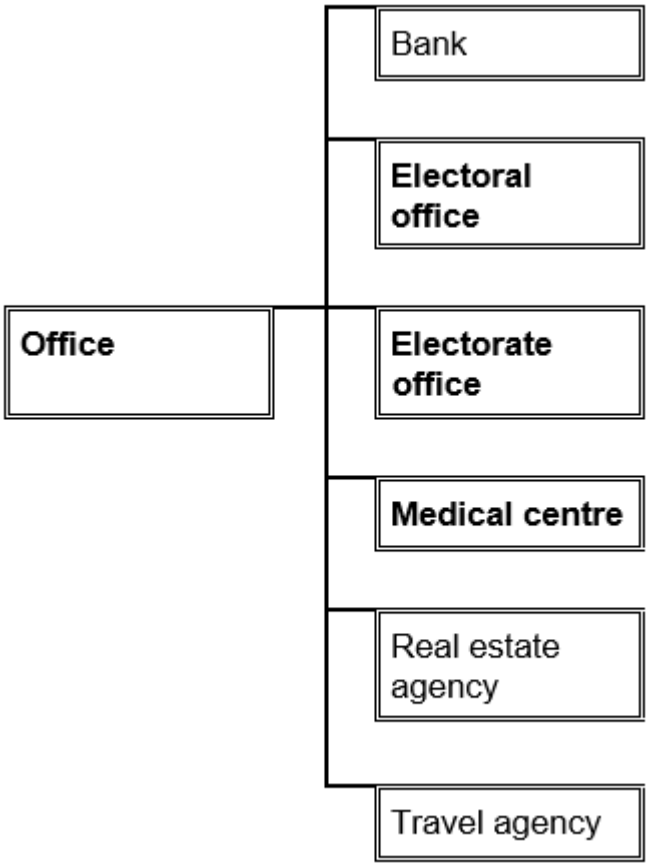
73.04-7 Earth and energy resources group

24/01/2020
VC160



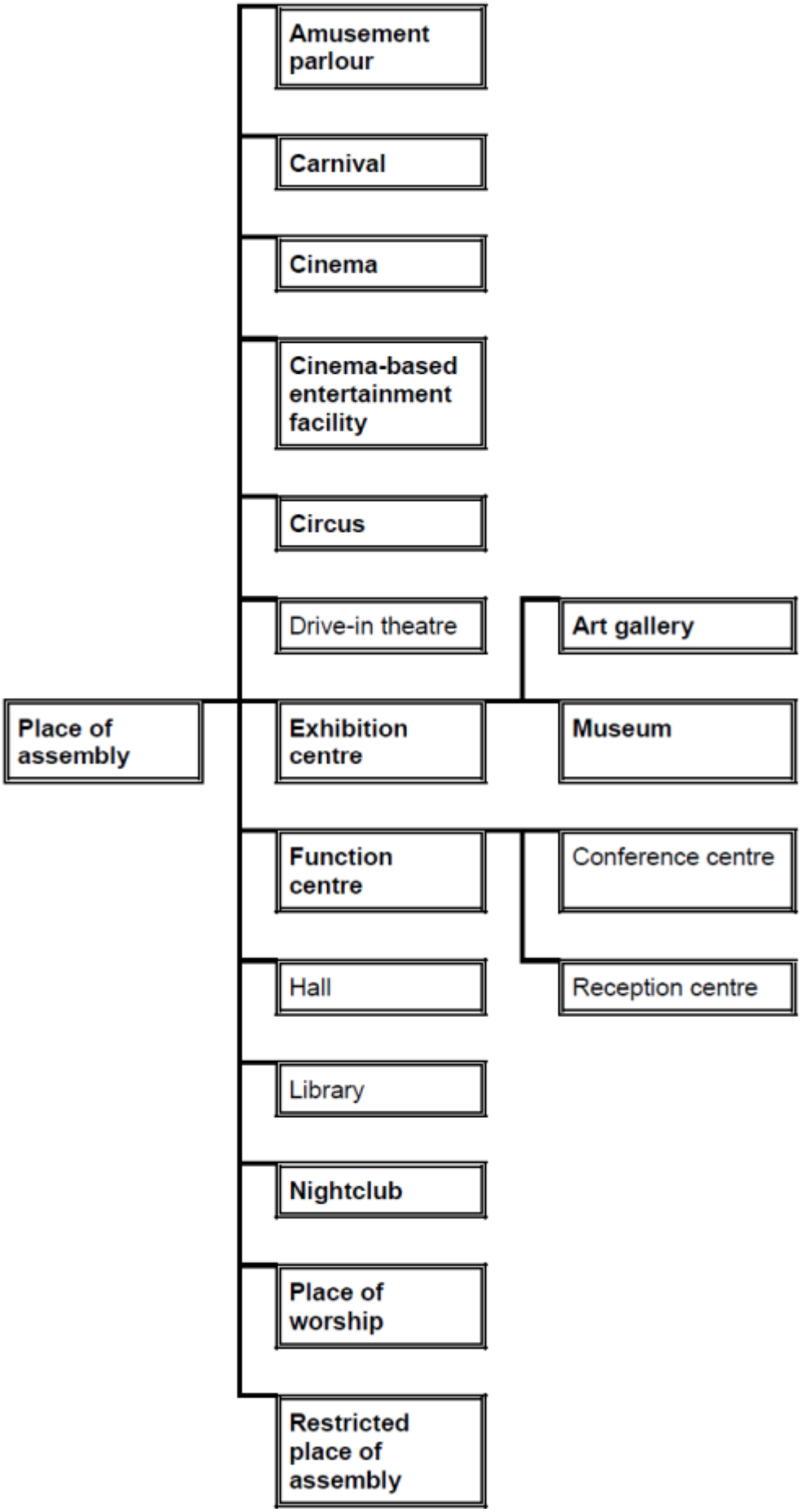
73.04-8 Office group

28/10/2022
VC224



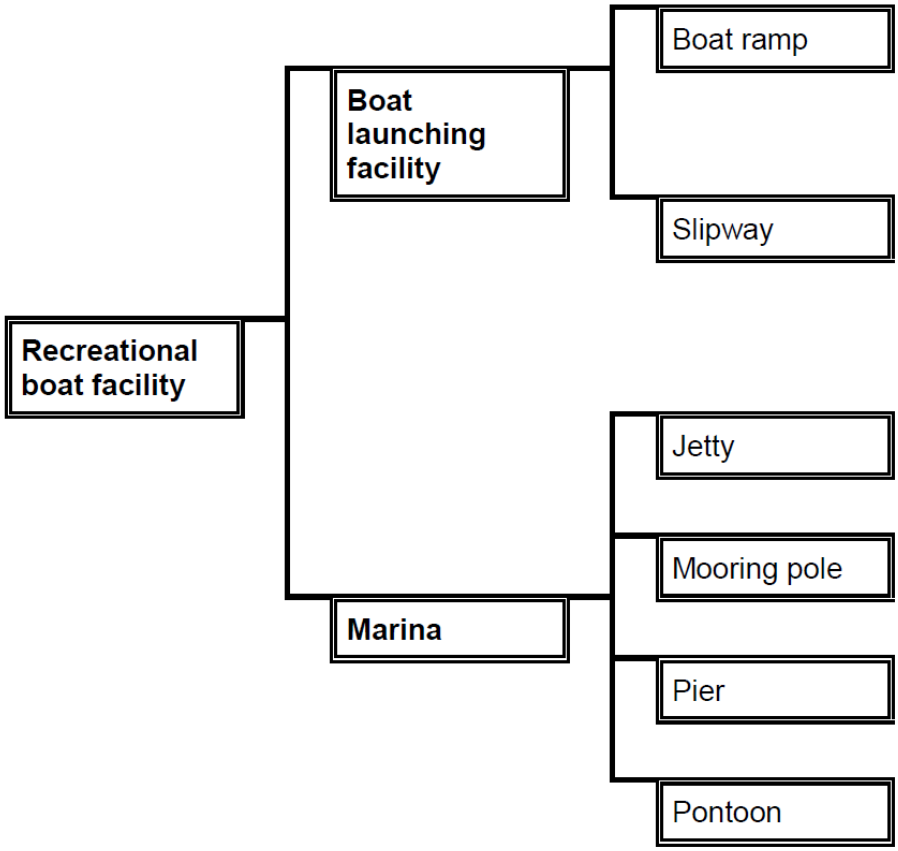
73.04-9 Place of assembly group

16/08/2019
VC163



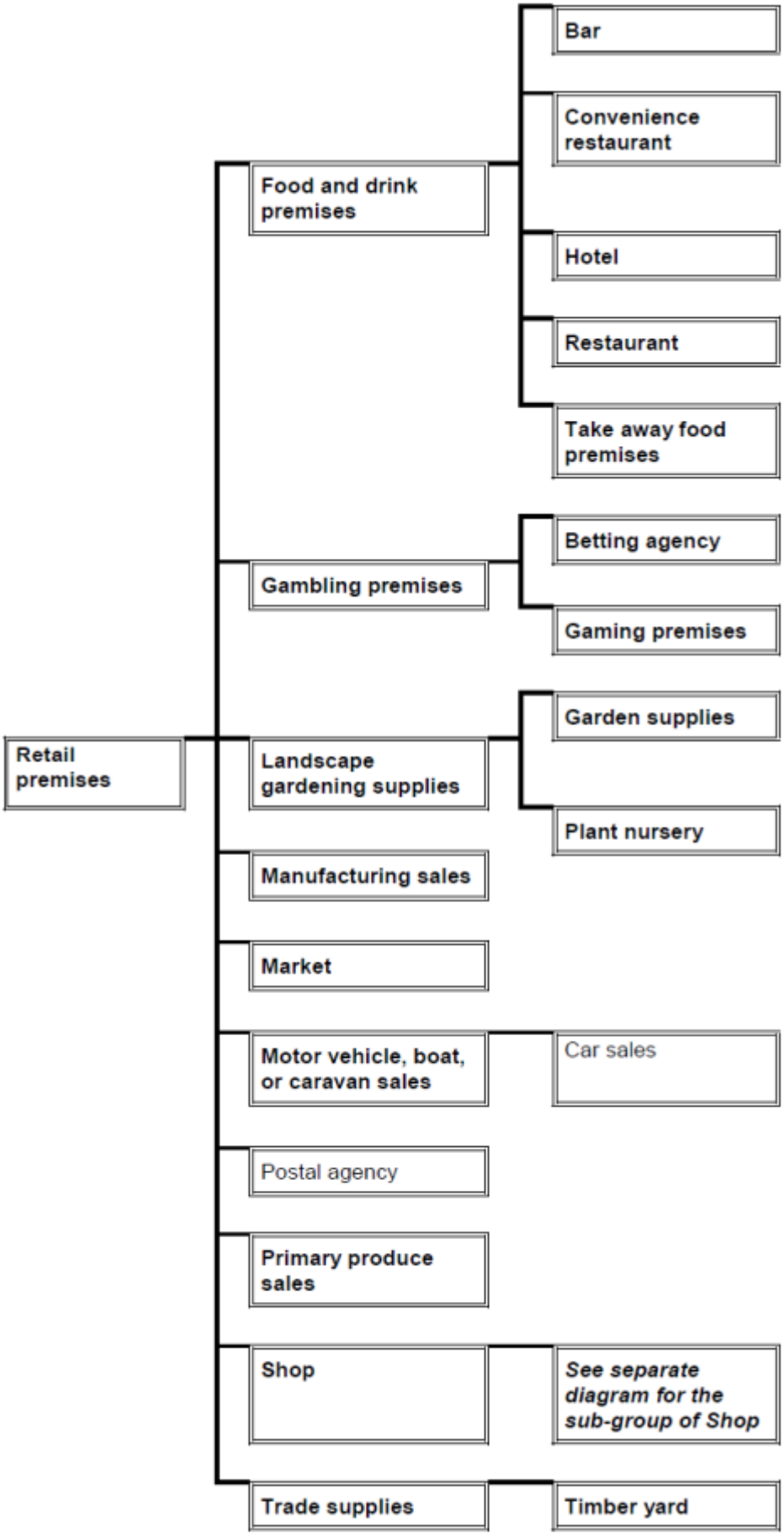
73.04-10 Recreational boat facility group

24/01/2020
VC160



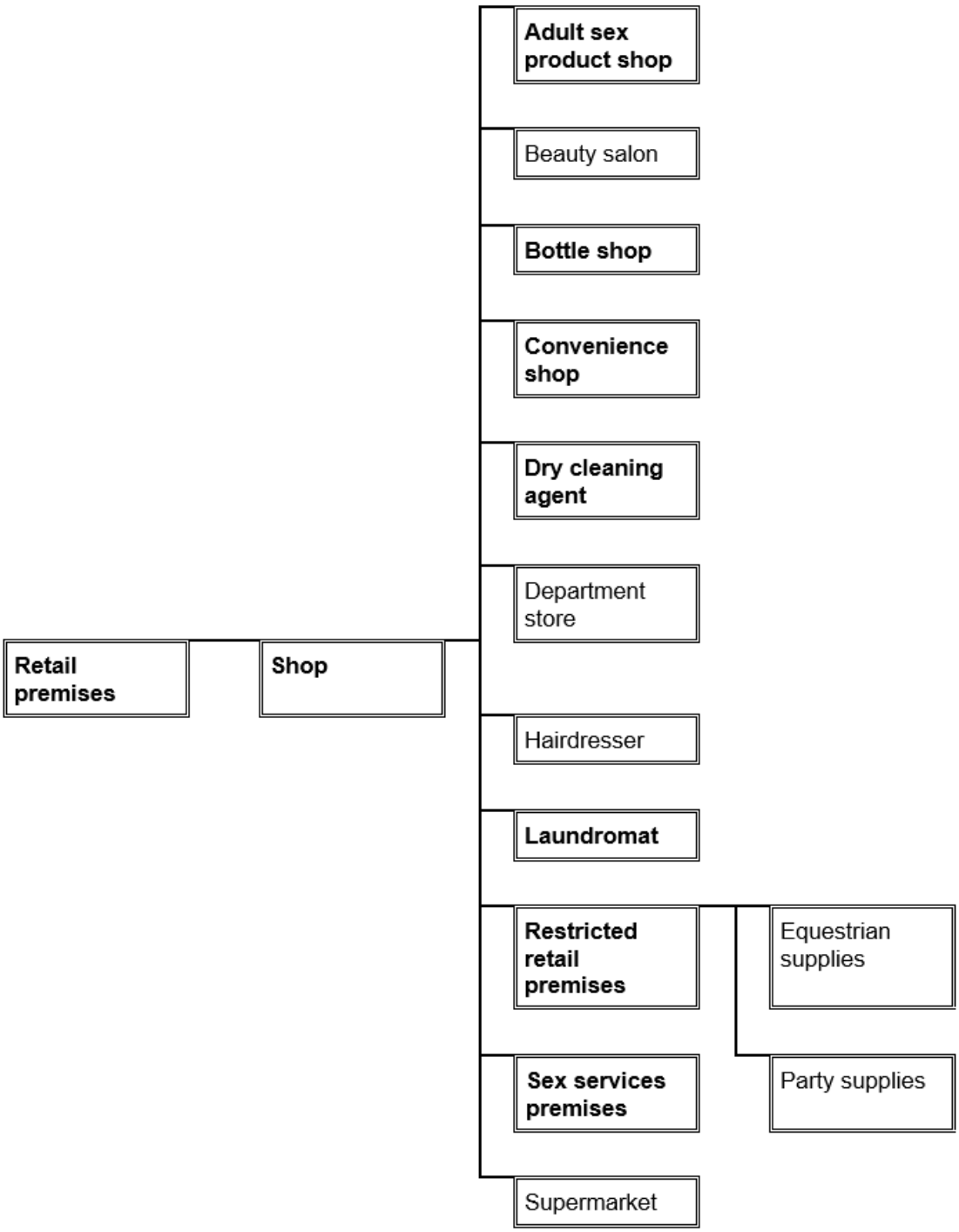
73.04-11 Retail premises group

16/08/2019
VC163



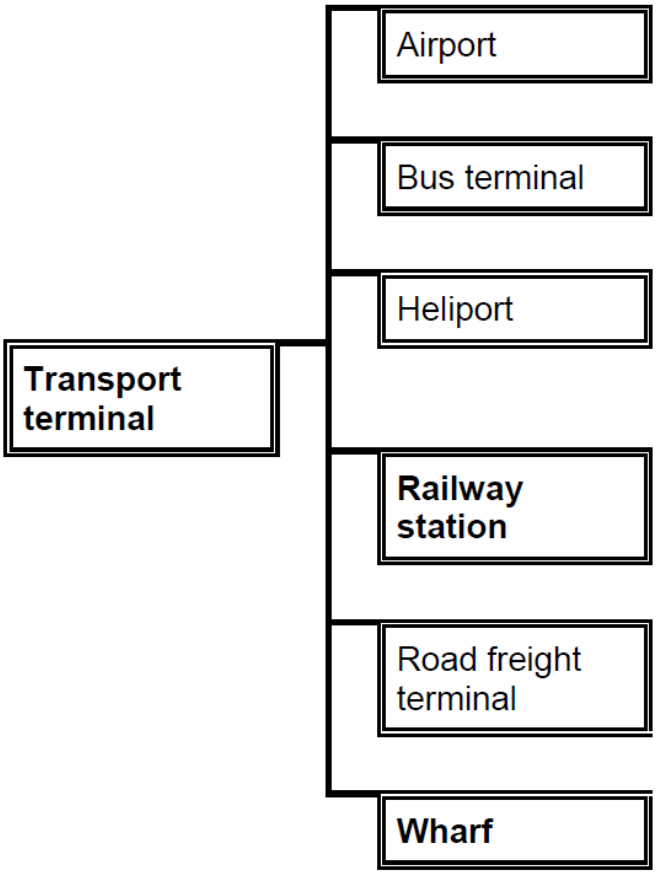
73.04-12 Retail premises group (sub-group of Shop)

01/12/2023
VC217



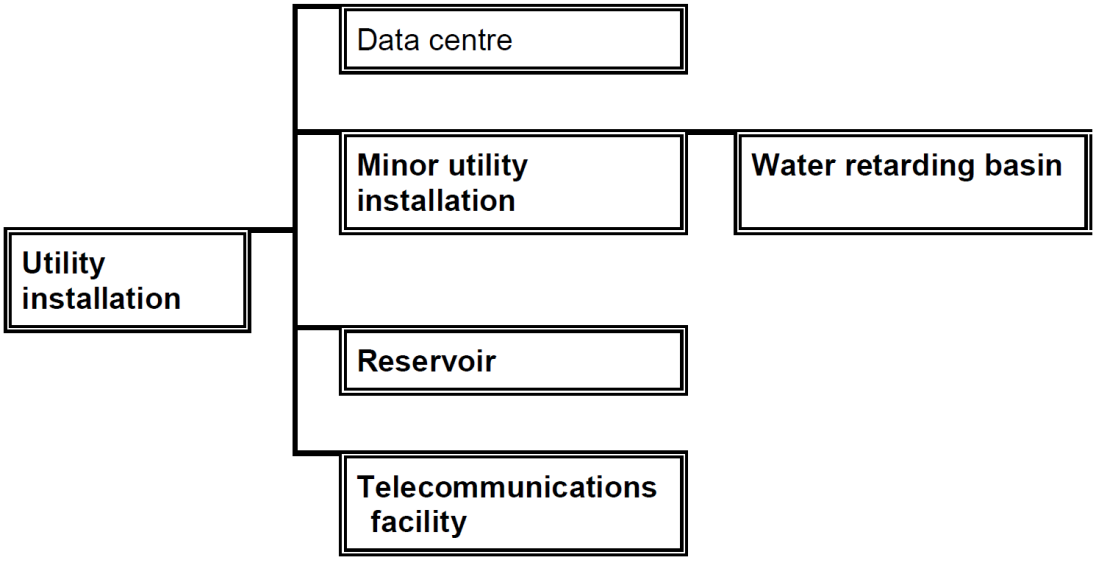
73.04-13 Transport terminal group

24/01/2020
VC160



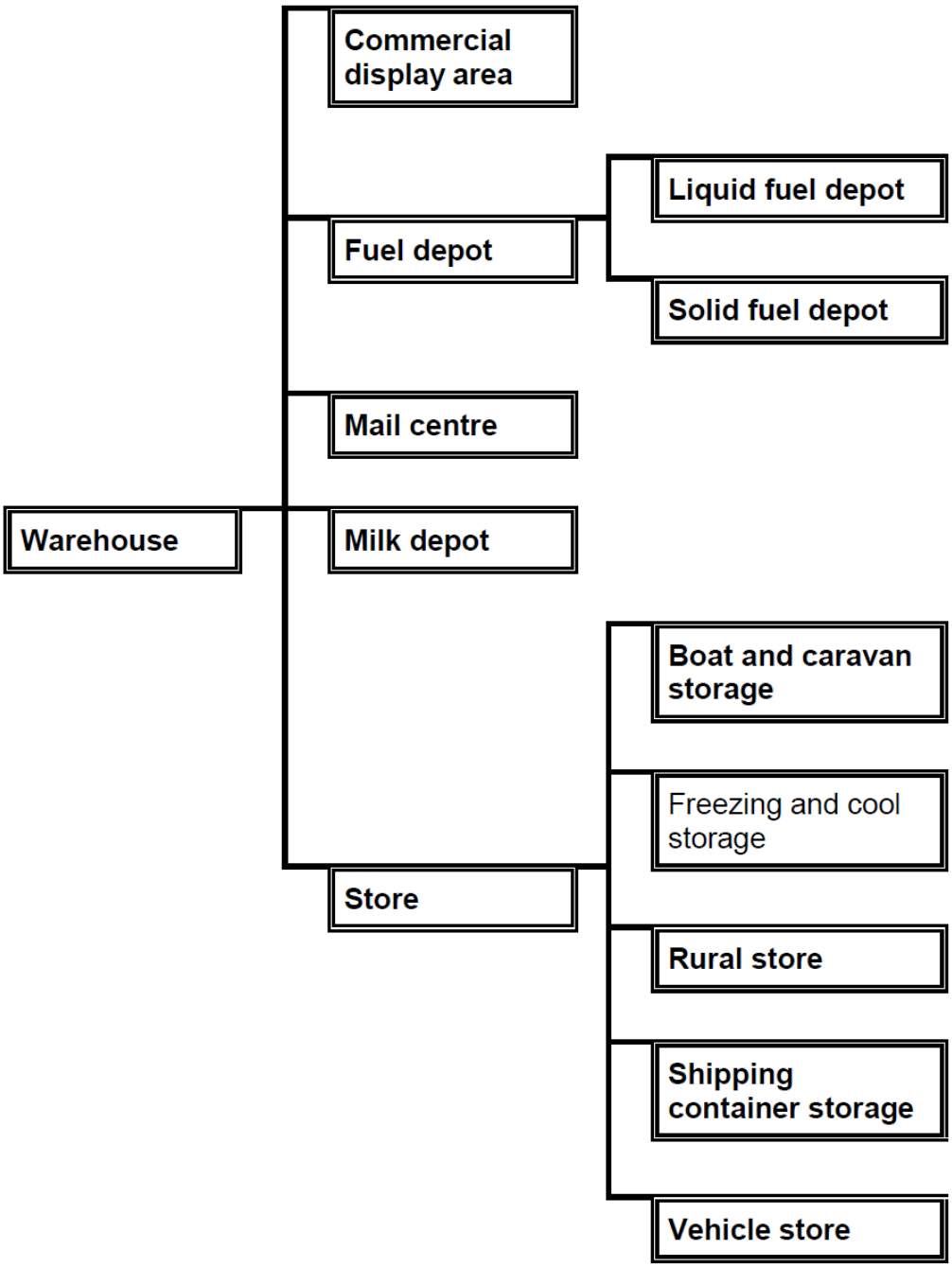
73.04-14 Utility installation group

08/08/2019
VC159



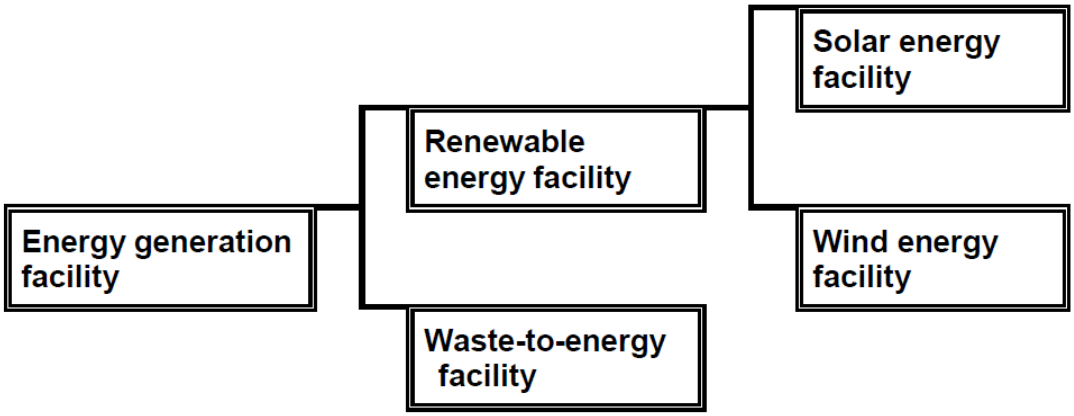
73.04-15 Warehouse group

24/01/2020
VC160



73.04-16 Energy Group

24/01/2020
VC160



73.04-17 Land use terms that are not nested

01/12/2023
VC217

Art and craft centre

Car park

Cemetery

Crematorium

Display home centre

Emergency services facility

Freeway service centre

Funeral parlour

Helicopter landing site

Home based business

Hospital

Interpretation centre

Natural systems

Research centre

Saleyard

Service station

Sign

Tramway

Veterinary centre

Winery

74 STRATEGIC IMPLEMENTATION

31/07/2018
VC148

74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

31/07/2018
VC148

The schedule to this clause must include a general explanation of the relationship between the Municipal Planning Strategy, the objectives and strategies in Clauses 10 to 19 and the controls on the use and development of land in this planning scheme.

A planning authority must take into account the schedule to this clause when it prepares an amendment to this planning scheme.

A responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

24/02/2022
C131hbay

SCHEDULE TO CLAUSE 74.01 APPLICATION OF ZONES, OVERLAYS AND PROVISIONS

1.0 Application of zones, overlays and provisions

17/02/2026
C146hbay

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:

- Mixed Use Zone to:
  - Altona Beach Activity Centre, Precinct 17 in Spotswood and Precinct 20 in Williamstown, to facilitate a range of residential, commercial, office, limited industrial and other uses that complement the mixed-use function of the locality, encourage housing at higher densities and achieve preferred built form outcomes.
- Residential Growth Zone to:
  - Areas where housing intensification will occur that results in a substantially different scale and intensity of housing compared to other areas.
- General Residential Zone to:
  - Areas where housing will evolve up to three-storeys whilst respecting neighbourhood character.
  - Schedule 1 - Residential areas where neighbourhood character objectives are emerging or will be determine through future strategic work.
  - Schedule 2 - Residential areas within heritage precinct overlays.
  - Schedules 3 and 4 - Residential areas with Garden Urban neighbourhood character objectives.
  - Schedule 5 - Residential areas with Inner Suburban neighbourhood character objectives.
  - Schedule 6 - Residential areas with Urban Contemporary neighbourhood character objectives (land at Mason Street, Newport).
  - Schedule 7 - Residential areas with Urban Contemporary neighbourhood character objectives (The Range, Williamstown).
  - Schedule 8 - Residential areas with Urban Contemporary neighbourhood character objectives (Williamstown North, Liley Street and Power Street, Williamstown).
- Neighbourhood Residential Zone to:
  - Areas that should be protected because of their special character, heritage or environmental constraints.
  - Areas where less intense housing growth will occur within the context of existing or preferred neighbourhood character.
  - Schedules 1 and 2 - Residential areas with special character (Neighbourhood Character Overlay areas).
  - Schedules 3 and 4 - Residential areas within heritage precinct overlays.
  - Schedules 5 and 6 - Residential areas with Garden Suburban and Garden Court neighbourhood character objectives.
  - Schedule 7 - Residential areas with Inner Suburban neighbourhood character objectives.
  - Schedule 8 - Residential areas with Waterfront Suburban neighbourhood character objectives.

  - Schedule 9 - Residential areas with Inner Suburban neighbourhood character objectives (21-23 Ann Street, Williamstown).
  - Schedule 10 - Residential areas with Urban Contemporary neighbourhood character objectives.
- Industrial Zones 1 and 3 to:
  - Facilitate industrial activity and employment opportunities within the municipality.
- Commercial Zones to:
  - Existing retail and commercial activity centres.
- Public Use Zone to:
  - Recognise land for community facilities and services.
- Public Park and Recreation Zone to:
  - Public recreation facilities and areas of public open space.
- Public Park and Recreation Zone and Public Conservation and Resource Zone to:
  - Areas of environmental significance and to conserve and protect the natural coastal environment.
- Road Zone to:
  - Identify significant existing and proposed roads.
- Special Use Zone 1 to:
  - Provide for areas in private ownership to be used as private sports grounds and religious and educational establishments.
- Special Use Zone 2 to:
  - Provide for the operation and modernisation of the petroleum refining industry in a manner that does not affect the safety and amenity of nearby residential areas.
- Special Use Zone 3 to:
  - 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.
  - To ensure that contaminated and potentially contaminated land is or will be made suitable for its use.
- Special Use Zone 4:
  - To provide a buffer between the Special Use Zone 3 and local communities, which allows for industries and associated uses compatible with the nearby community.
- Special Use Zones 5:
  - To recognise the importance of the Port of Melbourne and its environs as a focus for major marine industrial development.
- Special Use Zones 6:
  - To provide for the continued use and development of the Brooklyn Terminal Substation as a utility installation whilst minimising amenity impacts on the surrounding area.
- Comprehensive Development Zone to:

  - Precinct 15 in Altona North to facilitate the orderly development and integration of residential, commercial, retail and a mix of other uses, and to support development that responds to the built form of the surrounding area through the provision of lower scale development around the perimeter of the precinct, transitioning toward higher scale development in the centre.
  - The Range Estate, Williamstown to provide for the development of land that integrates residential, recreational and limited commercial land uses, and has consideration to the surrounding natural and built environments and land uses by providing architectural diversity to reduce apparent scale and bulk.
- Environmental Significance Overlay, Significant Landscape Overlay to:
  - Areas identified as being environmentally significant.
- Heritage Overlay to:
  - Identified heritage places and precincts.
- Design and Development Overlay to:
  - Ensure a comprehensive and integrated approach to development within precinct 9.
  - Rrestrict the height of development adjacent to the coast.
  - Ensure the adequate safety and amenity of the West Gate Bridge and its approach viaducts, motorists using the bridge and nearby properties
  - Ensure that the potential effects of development on the West Gate Tunnel are appropriately managed and mitigated on land
  - Encourage well designed medium density residential development at 65 Nelson Place, Williamstown
  - Minimise the visual impact of new development on Newport Lakes
- Design and Development Overlay and Development Plan Overlay to:
  - Implement the *Hobsons Bay Industrial Land Management Strategy* (City of Hobsons Bay, 2008) and manage the transition of redundant industrial land identified as Strategic Redevelopment Areas for alternative uses.
  - Ensure that new, refurbished and converted developments for residential and other noise sensitive uses constructed in proximity to existing industry include acoustic measures to attenuate noise levels within the building and private open space areas.
- Neighbourhoood Character Overlay to:
  - Implement the *Neighbourhood Character Study* (Hobsons Bay, 2019) and protect areas of cohesive neighbourhood character.
- Public Acquisition Overlay to:
  - Reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.
- Environmental Audit Overlay to:
  - Sites identified as potentially contaminated land.
- Appropriate flood provisions (Land Subject to Inundation Overlay, Special Building Overlay, and Urban Floodway Zone) to:
  - Land identified as being flood prone.
- Environmental Audit Overlay to:

  - Sites identified as potentially contaminated land.

- Development Contributions Overlay to:
  - Strategic Redevelopment Areas and sites to coordinate contributions to providing infrastructure.

74.02 FURTHER STRATEGIC WORK

31/07/2018
VC148

The schedule to this clause may specify the planning authority's approach to further strategic work.

A planning authority may take into account the schedule to this clause when it prepares an amendment to this planning scheme.

The responsible authority must not take into account the schedule to this clause when it makes a decision under this planning scheme.

24/02/2022
C131hbay

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0 Further strategic work

24/02/2022
C131hbay

- Identify privately owned land along creek corridors preventing the development of continuous pedestrian and cycle links and investigate public access through shared use agreements, land lease arrangements or Council land purchase.
- Prepare new structure plans to guide the planning and future development of activity centres including:
  - Miller Road Spine
  - Williamstown
  - Laverton
- Develop an Urban Design Strategy to assist the implementation of the Activity Centres Strategy and subsequent Structure Plans.
- Investigate the application of the Environmental Significance Overlay to sites with high value native grassland.
- Work with external agencies to investigate the impact of sea level rise and storm surge on the municipality and consider options to manage any impacts or hazards.
- Work with relevant agencies and water retailers to develop guidance for planners and applicants on water conservation and high quality stormwater management for new development.
- Review the *Industrial Land Management Strategy* (City of Hobsons Bay, 2008) and *Industrial Development Design Guidelines* (City of Hobsons Bay, June 2008).
- Review the planning framework for the Burns Road Estate area in Altona to determine the appropriate policy, zoning and overlays to address long-standing use and development issues.
- Review the Special Use Zones related to petrochemical industry, including the employee population density controls.
- Review employee population density controls with regard to the limitations these place on the establishment of new industries and the redevelopment of existing industrial sites.
- Undertake a Significant Tree study.
- Undertake a Post-war Heritage study.
- Review and update the *Hobsons Bay Heritage Study* (City of Hobsons Bay, Amended 2017) and apply only one Heritage Overlay to each heritage place.
- Review the *Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay* (Helen Lardner Conservation & Design, June 2006) and *Guidelines for Infill Development in Heritage Areas in Hobsons Bay* (Helen Lardner Conservation & Design, June 2006).
- Review the *Hobsons Bay Advertising Signs Guidelines* (Hobsons Bay City Council, 1999).
- Review all Design and Development Overlays to ensure consistent wording and expression following implementation of the new residential zones.
- Review the planning permit requirement applying to lots between 300 and 500 square metres in NRZ2, NRZ4, NRZ6, NRZ8, NRZ9, GRZ2 and GRZ4.
- Prepare a municipal parking strategy.
- Prepare a municipal cycling strategy.
- Implement into the Planning Scheme a framework for addressing affordable housing.